

VOICES OF INDIAN FREEDOM MOVEMENT

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AN APPEAL FOR MASS MOVEMENT*

Fellow Countrymen,

My first duty is to tender to you most cordial thanks for the high honour you have done me in calling me to this office, the highest in your gift and at a session which is perhaps the most momentous in the history of our movement. The honour is the greater because the session is being held at Calcutta, a place which has always been associated in my mind with the best and the truest ideals of Indian Nationalism. It was at Calcutta that the first important political movement of the last century was ushered into existence, and it was a Calcutta orator, the greatest that the country has so far produced under British rule, who was the first standard-bearer of political agitation all over Northern India. It was at Calcutta that the ideals of the new Nationalism that has since then grown into a mighty tree, were first expounded and explained by one of the purest minded and the most intellectual of Bengal's gifted sons. I mean Sri Arabindu Ghosh. It was at Calcutta again that the Grand Old Man of India, the revered and universally respected Dababhai Naoroji, set the ideal of Swaraj before us in clear and unambiguous language, an ideal which has since guided us in all our political endeavours.

A Great Struggle

It was with great reluctance that I made up my mind to

*Presidential address delivered by Lala Lajpat Rai at the Special Session of the Indian National Congress held at Calcutta on 4 September, 1920.

accept the call of duty to which the All India Congress Committee by its decision invited me. Our policis are no more of the old humdium kind, about which practically there was no, or if at all very little difference of opinion. We are no longer contented with resolutions, prayers and memorials. We have advanced beyond the first stage of very humble submission, have crossed the boundaries of respectful demand, and have entered into the arena of backing our demands by vigorous and compelling action of a *peaceful kind.* The country is at the present moment in the throes of a momentous struggle. The Anglo-Indian press has designated it as revolutionary. There are many people to whom the word revolution is like a *red rag* to a bull. I am not one of them. Words do not sear me. It is no use blinking the fact that we are passing through a revolutionary period, nay, we are already in the grip of a mighty revolution, a comprehensive and all-covering one, religious, intellectual, educational, social, economic and political. We are by instinct and tradition averse to revolutions. Traditionally, we are a slow going people; but when we decide to move, we do more quickly and by rapid strides. No living organism can altogether escape revolutions in the course of its existence. Our national history records many such. But the revolutionary struggle through which we are now passing has been brought to our shores by our rulers. It is they *who completely changed* without our consent and sometimes against our wishes, the whole structure of our social life by introducing revolutionary economic changes in the country. We never asked for them, we never desired them; but primarily in their own interests and for their own benefit they introduced them. Along with these economic changes, they have partially, if not completely, changed our outlook on life by their system of education, by their newspapers, by their laws and by their courts. Some of these changes we would very much like to undo, but whether we or even they can do so now is at best problematic. Any way, the present political situation is a natural outcome of their own policy and is their handiwork. If then anyone is to be blamed for it (I for one do not blame any one), it is they themselves. Many of them would probably like to set the hands of the clock back but it is no longer in

any was needed that in estimating the worth of its leaders and its servants, the country knows its mind and has no inclination of allowing its judgment to be affected by the wishes and opnions of the highest amongst the dignitaries of the State. Here and there a few mean attempts were made to insinuate that the deceased leader was anti-Muslim, but our Muslim fellow countrymen have been the most forward and the most fervent in the expressions of their regard and love for him. Some members of the ruling class, too, have behaved with admirable judgment. Great as has been the loss of the country generally, the loss of the Indian National Congress is even greater. The Congress has by his death lost one of its few surviving founders, one who by his indomitable will and energy and his unique sacrifices and sufferings had contributed the most to building up of that life of the country which finds its expression in the present activities of this national movement. It will be one of the first items of business of this Session to put on record in befitting language our sense of the great and irreparable loss we have suffered by death of Lokmanya Tilak.

National Problems

This Session of the Congress has been convened in accordance with an understanding arrived at between the leaders at the Amritsar Congress, for the purpose of considering the Hunter Committee Report and the decision of the Government thereupon relating to the Punjab disturbances of the last year. Since the Amritsar Congress finished its labours, another important question has been added to our national problems, which requires a speedy and immediate consideration both in the interests of peace and good government. The disappointment which has been caused to our Muslim countrymen by the Turkish Peace Treaty and its effects on the Khilafat is keen and bitter. Lastly, there is the important question of Reform Rules on which the success of the Reforms, such as they are, so largely depends. The All-India Congress Committee, therefore, have added the Khilafat question and also the rules and regulations under the Reforms Act, to the subject for which originally, according to the understanding at the Amritsar Congress, this

Session was to be convened. These, then, are the subjects which will be before you during this Session for consideration and decision.

Punjab Disorders

Taking the Punjab disorders first, since we met last at Amritsar, the Congress Commissioners appointed by the Punjab Enquiry Sub-Committee of the All-India Congress Committee have issued their report. The Hunter Committee appointed by the Government of India have also finished their labours and published their report, and the Government of India and the British Cabinet have passed their orders on that report. The report of the Hunter Committee is not unanimous. All the Indian members have differed from the majority on matters which in my judgment are "basic". Similarly, the Government of India also are not unanimous. The only Indian member of the Government of India (at the time) has accepted the conclusions of the minority and differed from the majority. The country has with one voice condemned the majority report as well as the decision of the Government thereupon. We, in this Congress are expected to focus the opinion of the country in the matter and recommend such action as we think ought to be taken for the redress of the wrong that has been done.

To arrive at a proper understanding of the position, one has to look into a whole lot of circumstances which preceded the agitation against the Rowlatt Act and to bear in mind that the person who is principally responsible for the Punjab tragedy, the man whose general policy created the atmosphere which made it possible for a Dyer, a Bosworth Smith, an O'Brien, a Doveton, a Frank Johnson and other smaller fry, to commit the unmentionable outrages of which they were guilty, in the five days immediately preceding the introduction of Martial Law, and all through its continuance in the spring of 1919 in the Punjab, is Sir Michael O'Dwyer. From the very moment he took charge of the Province he set before him an ideal of government which was Prussian in conception, Prussian in aim and Prussian in execution. For six long years he occupied

himself in working out his ideals and in carrying out his plans. Every item was carefully thought out, and with equal care entrusted to agents who were most fitted and willing to achieve the end desired by the Head of the Government. If ever there intervened an obstacle or a hindrance it was removed without the least pang of conscience, and without the slightest consideration of its morality or even legality, so much so that even the European members of the Indian Civil Service who refused to endorse his opinions or to carry out his mandate had to retire into the background.

To the misfortune of the Punjabees, the Punjab happens to be practically a military Province on account of its nearness to the Frontier, and because of there being so many military stations in the vicinity of the most important civil stations. The Punjab Commission has, besides, always had on its personnel, a good many representatives of the military service. The Punjab bureaucracy has thus been more or less always dominated by military ideals, and the civil administration of that Province has never been absolutely free from military influence. The civilians, living in or in the vicinity of military stations and passing about six months in the year in hill stations, where the military predominate, are consciously or unconsciously affected by the opinions and views of their military fellow-officers. No wonder then in spite of the lavish praises bestowed on the Punjabees by the Anglo-Indian administrators, and in spite of the most extravagant solicitude shown by them in words for the prosperity of the Punjab, the bulk of the Punjabees are the most ignorant and the most abjectly situated of all the people of India. It is extremely painful, specially for a Punjabee to say that under and in consequence of the British rule, the manly races of the Punjab should have lost that independence of character and bearing for which they had a name in Indian history prior to British rule. It will be no exaggeration to say that for military reasons the bureaucracy has kept the martial races of the Punjab ignorant and in conditions of submissiveness bordering on abject servility. The Punjabees are reputed to have a splendid physique. The rural Punjab is the flower of British Indian army. Even urban Punjab has a population which is physically

superior to the similarly placed people of other parts of India; yet it is remarkable that whenever plague and influenza have attacked the Province, the Punjabees have been the most willing to die in entirely disproportionate numbers. One may naturally ask, why? The answer is because of the dense ignorance of the Punjab masses, because of the lack of adequate medical staff, because of the inadequate measures of sanitation, and last but not least, because of the lack of that political consciousness which makes men self-reliant and self-respecting. The exigencies of militarism have inspired the policy of keeping the Punjab peasantry illiterate as well as politically dumb. But for the strength of character shown by some of Sir Michael O'Dwyer's predecessors in the office of the Lieutenant-Governor particularly Sir C. Aitchison and Sir Dennis Fizpatrick the Punjab would have been in a still worse position.

The policy of militarism, however, reached its climax with the advent in the Province of Sir Michael O'Dwyer who had been absent from the Province for about 15 years, having originally served there in minor capacities, retained as the head of the Government with a determination to crush the spirit which had made 1907 and 1910 possible. In 1913 when he took charge of the Province the people had considerably changed from what they had been when he was last there. They were not so very submissive and there was a little political awakening also. To crush this political awakening was one of his principal aims. So when he returned, he set before him as his ideal a Prussian system of administration. All through the period of his office he was guided by that ideal.

(i) I charge him with having deliberately intensified the policy of 'divide and rule' by keeping apart the Mahomedans from the Hindus and both from the Sikhs.

(ii) I charge him with having created fresh political divisions between the people of the Province by drawing purely artificial and mischievous distinctions between material

and educated classes and between the rural and urban interests and creating unhealthy rivalry between them.

(iii) I charge him with having made illegal use of the process of law and of his authority for recruitment purposes, and for getting contributions for the war loan and other war funds.

(iv) I charge him with having condoned and in a way encouraged the most brutal and diabolic deeds of those who were his tools in recruiting and war loan campaigns and with having failed to check bribery and corruption among the subordinate police and magistracy.

(v) I charge him with having debased and misused the forms and processes of law for the purpose of crushing those who would not bend their knees to him and who showed the slightest independence of spirit and a desire for political advancement.

(vi) I charge him with having deliberately deceived the Government of India as to the necessity of Martial Law, and as to the necessity of trying cases of ordinary sedition under the process of that law. He was guilty of a clear falsehood at this stage when he suggested to the Government of India that the General Officer Commanding in the Punjab agreed with his views.

(vii) I charge him with having deliberately manipulated the continuance of Martial Law for vindictive and punitive purposes when there was no rebellion and there was no likelihood of a recrudescence of disturbances in that Province.

(viii) I charge him with having been instrumental, by expre s or tacit consent and by encouragement, by word and deed, in the promulgation of barbarous orders and the infliction of barbarous punishments and humiliations on the people of the Punjab.

(ix) I charge him at least with being an accessory after the event of the Jallianwala Bagh massacre. By his unqualified approval of the Jallianwala massacre he made himself responsible for all the outrages committed by the Martial Law administrators in pursuance of his policy.

(x) I charge him with having connived at perfectly illegal exactions from the people of the Punjab in the shape of punitive fines and penalties.

(xi) I charge him with culpable neglect of duty in not going to Amritsar, first on the 11th (April, 1919) after the deplorable events of the 10th, and then on the 14th after the massacre at the Jallianwala Bagh.

(xii) I charge him, lastly, with having extorted addresses from the people of the Punjab, on the eve of his departure by illegal and mean threats, one of them having been altered in a material particular when in the custody of his minions, and having made a dishonest use of them in his defence in England.

These are serious charges, and I bring them with all the weight of the office to which you have raised me with common consent of the country. I challenge an enquiry and I declare before God and man that my Province and my people will not be satisfied until such an enquiry has been made.

I have now done with the story of the Punjab. I have given the story at some length, because I began by formulating certain charges against Sir Michael O'Dwyer at the commencement of my address, and it was my duty to make out a *prima facie* case in support of these charges. I hope and trust that I have made out my case to your satisfaction, that of all the persons who had anything to do with the introduction of Martial Law in the Punjab and with the events that preceded and followed it, Sir Michael was the chief culprit. Indeed, I may venture to assert that no man in the whole history of British Rule in India has done *such a great disservice to the British Empire and has brought*

such disgrace on the good name of the British nation as Sir Michael O'Dwyer.

The root cause of all this evil, as I have pointed out before, is the Prussian conception of Government which dominates the minds of so many of our Anglo-Indian rules of whom Sir Michael O'Dwyer was the type and which places the State as something above and beyond the people. It was that conception of Government which made it possible for Lord Chelmsford's Government to pass the Rowlatt Bill into law ; it was this conception which made it possible for Sir Michael O'Dwyer to deport Drs. Kitchlew and Satyapal and subsequently to have Martial Law declared in the Punjab. Every official who has had anything to do with this lamentable affair was filled with the same idea, namely, of making an example, 'teaching a lesson', 'creating moral effect' and 'restoring the prestige of Government' by terrorism and frightfulness General Dyer boasted that he had acted with that motive. Colonel O'Brien, Captain Doveton, Lieutenant-Colonel Macrae, Lieutenant-Colonel Johnson, Mr. Bosworth Smith, and even some of the judges who presided at the trial of Martial Law offenders were all inspired by the same ideal, which made many of them inhuman in their dealings with the Punjabees during the terrible days of the Martial Law. We had the sad spectacle of a Government and its high officials neglecting to take the most essential precautions for preventing unnecessary sacrifice of life and property in the carrying out of their plans. They admit that in no cases, where they resorted to firing and shooting, did they make any provision for first-aid to the wounded. In some cases they even refused to make over the bodies of the dead to their relatives. In others they took no notice of the dead. We have also evidence of the fact that troops destroyed property wholesale in the districts through which they passed, that even high officials of the standing of Deputy Commissioners exacted all kinds of contributions from the people within their respective jurisdiction ; that they obtained articles of food and other necessities of life without paying for them, and in addition realised levies and fines and penalties from whole populations. We have also evidence of the fact that in giving effect to the

orders of Martial Law Tribunals about the forfeiture of property, inhuman cruelties were practised on the women and children of the 'offenders'. In some cases they were thrown on the streets and were not even allowed to take sufficient clothing for the night and this was done not by subordinate officials but by high officers.

I have narrated the events of Sir Michael O'Dwyer's administration at some length in order to show that it was all through, a regime of terrorism and frightfulness in the literal sense of these words and that it was only carried to its logical conclusion in the months of April and May, 1919. In the words used by Mr. Montagu with reference to the action of General Dyer the ideals which Sir Michael O'Dwyer had set before himself were 'terrorism, humiliation and subordination' and they reached their climax in the promulgation and administration of Martial Law. Witness after witness has appreared before the Hunter Committee and has practically boasted of his acts of cruetly and oppression. General Dyer himself has justified all that he did. Colonel Frank Johnson is proud of everything that was done by him. He said in one case that was one of the few brain waves he had in his life. Captain Doveton, Colonel O'Brien, Major Bosworth Smith all testify in the same spirit. There was only one incident for which Colonel Frank Johnson expressed his regret, and that was the flogging of the marriage party. Others were not sorry for anything, and said that they would do the same thing if ever there was a chance of doing so. Here then we have the tragedy of the situation.

We believe that the principles and conduct of these men are entirely opposed to the traditions and the policy of the British Government, particularly the policy that underlies the Reform Scheme. We are afraid, however, that in the Punjab the majority of the bureaucracy are of the same mentality. The vast majority of the non-official European community is also of the same mind and so are a good many of the European and American missionaries. If such is the mentality of so many members of the Indian Civil Service, who, after all, are the real

rulers of the country and in whom is vested the task of administration, what is the remedy. In the face of the statements made before the Hunter Committee by European witnesses, the wholesale defence of General Dyer and others by the Anglo-Indian Press and the Anglo-Indian community, the raising of memorial funds for him and in his honour, and last but not the least, the resolution passed by the House of Lords, how can we Indians, possibly, assume that the British in England and the European community in India generally have accepted, in sincerity, the Reform Scheme and the principles that underlie it ? These principles imply that if not at once at least in a short time we must be free in our own country, with power to make and unmake our Governments, subject only to the maintenance of the Imperial tie, it being our interest and right to shortern the period of transition as much as possible. The Indian Civil Service and the European community of India and the House of Lords evidently think otherwise. They conceive it to be in their interest to prolong the period of transition by all methods open to them and many of them are frankly anxious to defeat the Reforms Scheme and revert to the old system of Government. If then the struggle between these two interests is to be conducted on the lines that were in evidence in the Martial Law regime, it seems to be absolutely futile to think of friendly co-operation between the two interests. It is all very well for those who are still in power to ask us to drop the matter and let by-gones be by-gones. I wish I could ask you to do the same. I am not actuated by any vindictive and revengeful motive, and I fully believe that my people are not; but how can we sit silent and let the matter drop in the face of all that has happened in India and in England, in connection with the events of last year until full and complete justice has been done and until steps have been taken to prevent a recurrence of the tragic state of things. The Government of India and the British Cabinet have gone out of their way to praise and laud a man whom we consider to be the chief culprit in this whole drama of oppression and tyranny. If that praise is justified and if we acquiesce in by our silence, then surely we deserve what was done to us. If not, then, it is our duty to press for the punishment and prosecution of Sir Michael O'Dwyer.

The Punjab tragedy was not a provincial affair, but a national one. Our manhood, our self-respect, our national dignity, nay our very existence as a nation, depends on our having the principles and practices of Sir Michael O'Dwyer condemned, and once for all abrogated. We owe it to ourselves, to our women, to our children, and also to those unborn, to fight it out and not let the matter drop without obtaining full and unqualified redress, and without obtaining effective guarantees that it will not be possible for any one, however, high his position in the Government of the oountry, to enact such like tragedies again It is our duty also to repudiate as emphatically as we can the fundamentally erroneous, I was going to say, vicious and Prussian conception, which found frequent expression in Sir Michael O'Dwyer's speeches that the security of life and property is the primary duty of Government. The security of life and property is only a means to an end. What is the end ? The uplifting of the human race and its progress towards the fullness of freedom, which means towards divinity. "Peace is a good thing, but life is still better", says Rabindranath Tagore in one of his essays on Nationalism.

If the British rulers of India propose to give us mere security of life and property by denying us honour and liberty we must refuse to have them. There is no life without freedom and there is no freedom without "Swarajya" or self-government.

Ladies and Gentlemen, I believe I give expression to your sentiments when I say to our rulers, that although the British Government is mighty enough to crush all our efforts by their military power, any success they achieved by military efforts would be a very expensive one. The British Raj is no longer synonymous with justice and fair-play in the mind of the average citizen and the more it is dragged into the mire by men like Sir Michael O'Dwyer, the more it will lose in what has hitherto constituted its boast.

We, on our part, are determined not to let our morale go under, to fiight only a clean fight. We shall continue to condemn unhesitatingly and unequivocally all those who commit violence

or insult or humiliate women, irrespective of their nationality, or who commit such acts of inhumanity as characterised the Dyers, Dovetons, Johnsons, O'Briens and others of the Punjab tragedy. If all this fails to bring us the necessary relief, I for one hope and believe that it will not, well, then the future is in the lap of the gods. I want in your name and in the name of the country which we have the honour to represent, to tell Mr. Montagu and through him the British Cabinet, that we accept in full the principles that he has laid down in the speech which he made in the course of the Dyer debate in the House of Commons. For our part we are fully prepared to act on those principles and to cherish the connection with the British Commonwealth as a desirable privilege, but shall be deceiving ourselves as well as Mr. Montague if we do not tell him also that in the light of the events that happened in the Punjab last year, the people of this country require something more than speeches and resolutions and despatches to prove that the British Cabinet and the British people are equally sincere and equally earnest for the principles laid down by Mr. Montagu. Here let me make one thing clear. If partnership of the Commonwealth means full freedom to us in India, with responsibility for the burden of the Commonwealth to the ex ent of our interest in it, we accept that ideal of partnership, but if partnership in the Empire means and includes the permanence of racial or alien domination in any shape, form or degree in the Government of India, then we do not accept that ideal. We are determined at no distant date to be entirely free in our country, in the same sense as South Africans are free in South Africa, Canadians in Canada, Australians in Australia and the British at home. Any qualification of that ideal we will not admit. All those Europeans who are domiciled in this country are our countrymen, and it shall be our duty to respect their rights in the same way as we shall respect the rights of any other community in India. But beyond this we are not prepared to go. Further we are also determined not to let ourselves be used as willing tools to crush the liberties of the rest of the world. We of the Indian National Congress have declared that we are quite fit for complete autonomy even now, yet we did accept, however inadequate and unsatisfactory, the instalment given to

us as evidence of *bona fides* of the British statesmen. We were prepared to work out the Reform Scheme to the best of our ability as a stepping stone to full responsible Government, but we must frankly tell Mr. Montagu that the events of the Punjab have shaken our faith in the motives of those who seek our co-operation in the ostensible working out of the Reform Scheme.

I will conclude this part of my address by stating in brief what we want: (*a*) We want complete and unequivocal repudiation and condemnation of Sir Michael O'Dwyer and if possible his prosecution and punishment. We also want that an open enquiry be held into the methods adopted by Sir Michael O'Dwyer in the recruiting campaign and in raising war loans and war funds. (*b*) We want the release of the remaining Martial Law prisoners and all the men that are still rotting in jails under convictions of the Special Tribunals and the Martial Law Courts. We shall be quite ready to have such of them re-tried by ordinary courts as were accused of murders or other charges of that nature; but we refuse to accept the judgments of the Special and the Martial Law Courts as good judicial pronouncements. (c) We insist that all the loss incurred by the people of the Punjab by the vagaries of the troops and the officials in the course of the Martial Law administration be made good and that all punitive fines and penalties imposed and recovered be remitted and returned. (d) We demand that all the disqualifications that are involved in the conviction of men by the Martial Law Tribunals be set aside, either by law or by a general order of the Government. (e) We further require that an open enquiry be held into the charges of bribery, corruption, extortion and torture that have been made by the witnesses before the Congress Commissioners against Police Officers of whatever rank, and other offials. (f) We also insist that if the authors of the Reform Scheme want a fair trial for it, they must remove from the Punjab all such officers as were connected with the outrages, as a proof of their *bona fides.* (g) If there be any others in the Punjab or elsewhere who do not accept the principles of the Reform Scheme they also must go even if they have to be retired on suitable pensions. They should not be there to desert the Reform Scheme by the

exercise of powers that are still left to a them to very great extent by the Reform Scheme itself. The Department of Law and the control of the Police is entirely in their hands, and unless the people of India get control of these Departments, they cannot effectively prevent the higher officials from exercising these powers high-handedly and arbitrarily as they did in the Punjab and as, to our knowledge and regret, they are doing even now in some places. (h) The Government of India too must shoulder their share of the responsibility for the Punjab tragedy. Their decision on the Hunter Committee's Report was a foregone conclusion. All the credit which they were entitled to, for their efforts to shorten the period of Martial Law has been discounted by their present justification of its continuance. If the view which the British Cabinet has taken of General Dyer's action and of the excesses of the Martial Law administration is correct (and it is much below the reality), then I submit the least that Lord Chelmsford can do with honour is to retire from his high office. If Mr. Austen Chamberlain thought it his duty to resign his office on account of the verdict of the Mesopotamia Commission, I submit there is enough in the Hunter Committee's Report (of both the majority and the minority) which should induce Lord Chelmsford to take the same honourable course. The Viceroy and his Cabinet have been guilty of gross dereliction of duty in failing to check the vagaries of Sir Michael O'Dwyer, and in failing to exercise that power of control which law and tradition vested in them. They let the people of the Punjab sulk and suffer under the impression that there was no one to hear their cries.

Under the circumstances the country's demand for the recall of the Viceroy seems to be just and proper.

Speaking of the Government of India, I must not omit to make mention of the noble stand made by our distinguished countryman, Sir Sankaran Nair, against the policy of the Government relating to the Punjab. His forcible protests, ending in his resignation from his high office, are worthy of the best traditions of Indian patriotism and will be remembered as long as India is articulate. His bold, blunt and burning love of justice and

fairplay, his sense of duty and absolute disregard of personal losses are such as to make every Indian proud of him

Ladies and Gentlemen, before I close this account of the wrongs inflicted on the Punjab, I must tell you that the narrative is by no means exhaustive. For want of time and space I have omitted many facts and incidents, as telling as those related, and I believe there are many more which have not yet been brought to light. The Punjab Provincial Congress Committee have resolved to undertake the work of investigation from the point where it was left by the Congress Commissioners, so as to complete the record, as far as practicable. Nor must I pass to the next subject without recording the bright side of this gruesome tale. It is true that Sir Michael O'Dwyer did succeed in terrorising and overawing the Punjabees for a while, but as soon as the first shock was over, the people recovered almost instantaneously. Those who were arrested and prosecuted, behaved most heroically, those whom they had left behind including little children and women, bore their misfortunes nobly. To the eternal glory of Indian womanhood, Ratan Devi defied the curfew order of General Dyer and watched all night long the corpse of her dead husband in the Jalianwala Bagh. The boys who were accused of waging war against His Majesty the King, never showed the slightest anxiety about their lives.

Of the victims of official aggression there is one man whose name I must mention, who by his cool and calm behaviour, his bold and defiant attitude, his manly notions of self-respect and honour, historic indifference to consequences set an example for others and earned the ever-lasting respet of his countrymen. I refer, of course, to Lala Harkishen Lal.

Having passed through the fire of Martial Law, the Punjab is today purer, stronger, more advanced, more determined, more patriotic and very much more united. The so-called backward Muslim masses are vying with their Hindu countrymen in showing a united political front, and the Sikhs (young and old) are outdoing themselves. No words can describe their enthusiasm

for political regeneration and their readiness to suffer and sacrifice.

If Martial Law has produced such good results in the Punjab itself, it has done still greater wonders in the cause of Indian unity. The political consciousness of the people of India has advanced by at least ten years. I believe I am giving expression to your sentiments, Ladies and Gentlemen, when I say that the country owes a deep debt of gratitude to the Hon'ble Pandit Madan Mohan Malaviya, the Hon'ble Pandit Moti Lal Nehru, the most revered Mahatma M. K. Gandhi and Messrs. C. R. Das, Jayakar and Tyabji. Our immortal Rabindranath Tagore's letter to the Viceroy will ever remain the charter of national self-respect and dignity, for the future generations of India. As a Punjabee I must offer my gratitude to all who have espoused the cause of my province in her hour of affliction. As an Indian I am proud of the stand made by the country. Surely, it is a new day and a most cheering day to find that in this matter the Hon'ble Mian Mahomed Shafi should be on the same side, as the most uncompromising Indian radical politician, be he of Bengal or of Maharashtra. The one Englishman, whose name I must mention with gratitude is Mr. C. F. Andrews, who is now one of us. Nor can we withhold our praise from the Indian members of the Hunter Committee, for their independence of character and for the statesmanlike view they have taken of the affairs in the Punjab. The country's best thanks are due to them for their lucid and masterly report.

They say that every cloud has its silver lining. To me it looks as if the Punjab tragedy has a golden hue, with the memory of the Amritsar martyrs, with the pictures of Ratan Devi, Madan Mohan and Khushi Ram engraved on our hearts, with the recollection of the dying Muslim urchin, who invoked the "Hindu Musalman ki jai" with his last breath, with the example of the sufferers of the Martial Law, we will march on to our goal of national unity and national freedom, with hope and confidence.

Khilafat Question

The second question that has been referred to the Special

Session of the Congress, for consideration and decision is the question of the "Khilafat". Seventy millions of our Muslim countrymen are stirred over it. The question has two aspects; the religious and the political. We of the Indian National Congress have no jurisdiction to go into the merits of the Khilafat question from the religious point of view. In the words of Mr. Leland Buxton, "it does not in the least matter what this Professor or that Doctor thinks the Muslims ought to believe. What does matter is, that the vast majority of Sunni Muslims do believe that the Sultan of Turkey is their Khalifa and the interests of Islam require him to be the head of a large, powerful and independent State." The Mohamedan Law-books define the boundaries of such a State.

There is perfect unanimity among the Mohamedans of India on the religious merits of the question. I do not believe there could be more than one person in a million among the *Sunni* Mohamedans of India who entertains any doubts in the matter. We may then take it for granted that the interpretation put upon this matter by the Central Khilafat Committee is correct. It was a matter for our Mohamedan countrymen to decide and they have decided it. They contend that the Turkish Peace Treaty violates the fundamentals of **Islam**, prevents them from fulfilling their religious obligations, makes it impossible for them to maintain friendly relations with a nation which is the cause of it.

They also maintain that the Turkish Settlement has violated the solemn pledges given to the people of India by British statesmen during the War.

In the first place, after the declaration of the War between England and Turkey in 1914, the Government of India on behalf of His Majesty's Government, as also the Government of France and Russia, promptly issued a proclamation assuring "His Majesty's most loyal Muslim subjects" that "no question of a religious character was involved" in the War "and disclaiming any British designs the Holy Places of Islam". Again in January, 1918 speaking in the name of the whole Empire, the British

Prime Minister made the following unambiguous and remarkable pronouncement :

"Nor are we fighting to deprive Turkey of its capital or of the rich and renowned lands of Asia Minor which are predominantly Turkish in race." Finally, came the armistice with Turkey, and it is important to recall that it was signed on the basis of President Wilson's twelfth point, (one of his famous fourteen points set forth in his message to the Congress dated the 8th January, 1918), which is as follows :

"That the Turkish portions of the present Ottoman Empire should be assured of secure sovereignty, but the other nationalities now under Turkish rule should be assured security of life and autonomous development."

Now, ask the Muslims, have these promises and pledges been redeemed ? It is the bare truth to say that in the treaty presented to the Turkish Plenipotentiaries on May 11th last and since signed by the Turkish Government, every single principle contained in the declarations I have cited above, has been palpably violated. Non-interference with the Muslim religious practices and obligations, non-molestation of Islamic Holy Places and respect for Turkish territorial and National integrity have all been *thrown overboard.* This is the Muslim contention and the whole of India has accepted it as true.

So much then from the Mohamedan point of view.

But there are, in my judgment, other issues also involved in the Turkish Peace Treaty which deserve consideration. I maintain that any further extension of the British Empire in Asia is detrimental to the interests of India and fatal to the liberties of the human race. The British have frequently used Indian troops to conquer various parts of Asia and Africa. For a long time there was an unwritten law which every European Chancellory considered binding on itself, that non-European troops were not to be used in any European war. This was abolished in the last war. African troops and Indian troops were used during and after the

war by the Allies in Europe. Black troops were in occupation of Germany and possibly they may [be still there. Gurkhas were, for some time, stationed in Ireland. I do not, of course, resent the abolition of the invidious social bar. From that point of view, I may even welcome it, but surely it widens the scope of militarism. British suzerainty in Arabia and British occupation of Mesopotamia involves the practical absorption of Persia and Central Asia and perhaps, later on of Afghanistan as well, into the British Empire. What has happened in India will happen in these countries too, *i.e.*, the general population will be disarmed and a number of them enrolled and drilled in the army. With the memory of the Dyer debates fresh in our minds, let my countrymen imagine the effect of that procedure on their own liberties as well as those of the rest of the world. The prospect of having Arabian, Persian and Afghan regiments in India cannot be pleasant to those of us who are working for the freedom of this country. It may be said that the contingency is very remote and fanciful. I am afraid I cannot agree with that view. What is remote today becomes near tomorrow. If the British Imperialist has no scruples in using Indian troops in Egypt, Persia, Arabia, Mesopotamia, Syria and Central Asia, why will he have any in using the troops he raises in these countries against us ? The Hindu-Muslim problem will become ten times more troublesome and dangerous, if this turns out to be true.

Then there is another aspect of the question. If the Muslim population of these countries continues to resist British attempts at occupation which they are likely to do for years, the Indian army will be in constant requisition to fight their battles in those regions, which means a constant and never-ending drain on our resources, both human and economic. The best interests of India, therefore, require that the Muslim countries in Western Asia should remain free and independent. Their amalgamation in the British Empire even under the pretence of mandatory jurisdiction, is likely to be extremely harmful to us. We know what these mandates really mean. The British have to maintain 80,000 troops in Mesopotamia and the French the sam number in Syria. They have spent money like water on these territories even

after the war. This is not being done for the benefit of these backward countries. Several wars are going on at this minute in what were Turkish territories before.

It may be contended that this view ignores the League of Nations and the United States. Well, gentlemen, there is no such thing as the League of Nations. Great Britain and France are the League. As for the United States, they are averse to any entanglements in foreign politics. They will not raise their little finger to save the liberties of the world unless theirs are in danger.

But it may also be said that this view ignores the possibility of Labour coming into power in Great Britain. Well, so long as Labour does not actually come into power, it will be foolish for us to count upon the contingency in deciding what attitude we shall take on current problems, which brook no delay. For the present it seems that Junkerism and Militarism have obtained a fresh lease of life in Great Britain. For evidence one has to read carefully the speeches made in the course of the Dyer debate in both the Houses of Parliament. These speeches would not have been delivered in 1917 and 1918.

The question then resolves itself into the following :

(a) Are we voluntarily and of our free will going to acquiesce in British Junkerism crushing Muslim liberties in Western Asia, and trample upon Indian religious susceptibilities without joining our protest with that of our Muslim countrymen against this immoral and unjust attempt?

(b) Are we to sit silent and let the British Junkers ride rough shod over the pledges under which they obtained our country's help in the war against Turkey?

(c) Are we going to lose this opportunity of cementing the Hindu-Muslim *Entente* for the common purpose of Indian liberties in India, and Muslim liberties in Muslim countries?

(d) We, of the Indian National Congress, have always believed that the fabric of Indian liberties cannot be built safe and secure except upon the foundation of a close understanding between the two communities. The British bureaucrats have from time to time been deliberately playing the one against the other, and for a time they succeeded. Now is the time for us to convince our Muslim brothers that we were and are sincere in our desire for Muslim friendship. The bureaucrats now want to play the Hindus against the Muslims. In fact, they were already at the game. It was the spectacle of Hindu-Muslim unity at Amritsar that finally exasperated Sir Michael O'Dwyer and drove him mad. The Hindu-Muslim unity was declared to be anti-British for no reason whatsoever except that to Anglo-Indian bureaucrats, it was an unpleasant spectacle. It was not anti-Indian when they freely used the Muslims to denounce the Hindus, but it became anti-British, the moment Muslims began to fraternise with the Hindus. Such is the mentality of so many of the Anglo-Indian bureaucrats.

I do not believe there are any Indian Muslims who want Muslim sovereignty in India, but if there be any such we should not be afraid of them. If it come to it, we know how to defend our liberties with or without British aid. How long are we going to be afraid of shadows and be deceived by imaginary fears set before us as a justification of despotic rule? But all this is on the assumption that there is going to be a fight. I for one do not believe that there is any likelihood of one. The Muslims of India do not want to turn out the British; even if they wanted it they could not do so. What they need and ask for is our moral and constitutional support in the present crisis regarding the Khilafat, and we should have no hesitation in giving to it them unreservedly.

I think it is a perfectly legitimate and constitutional demand that the Indian troops should no more be used anywhere outside India. They were taken out to defend Empire when the Empire was in danger. The war which threatened the whole Empire is

over and the troops sent by the Dominions have returned to their homes. So should ours. The Indian army exists to defend the Indian Empire and not for an aggressive Imperial policy of extension and expansion.

As to how far the Hindus should go with their Muslim countrymen in the latter's campaign of non-co-operation is a question is which it is for you to discuss and decide. All that I can say at this stage is that we should go as far as we can, consistently with our duty to the country, even if we have to suffer The Hindu-Muslim unity betokens the dawn of a new day in the history of India and it will be extremely foolish and short-sighted to throw this chance which only comes once perhaps in a century on the bidding of those who worship at the shrine of Dyerism.

The prospect of Hindu-Muslim unity has already brightened the horizon and outlook of many an Indian who had taken to despair. It has cheered many a dying patriot at Amritsar and other places.

Mr. Maqbul Mohamed of Amritsar has in his evidence before the Congress Commissioners related two touching incidents which are worth mentioning here. Speaking of the pathetic scenes he witnessed after the firing on the carriage bridge at Amritsar, on the 10th of April, he says :

"I witnessed many pathetic scenes and some gruesome sights. I saw a corpse actully with an eye-ball and the whole brain blown out. I heard a dying man gasping "Hindu Mussalman ki Jai". A boy of 16 or 17 years of age lay wounded with his entrails protruding, having been hit on the belly. When Dr. Dhanpat Rai Salaria and I approached him, he whispered : "I am dying, attend to may brethren. Hindu-Mussalman ki Jai". The next moment he died. Many similar instances of notable sacrifice I noticed when I was pouring water into the mouths of the dying.

One word more and I will have finished this part of my

address. It has been pointed out to me by well meaning friends that in supporting the Musilm claim for the maintenance of the Turkish Empire, I am advocating Imperialism to which I am otherwise so bitterly opposed. Well, Ladies and Gentlemen, I do desire the destruction of Imperialism but I do not desire the destruction of some Empires for the benefit of others. In my judgment, Imperialism should be eliminated from the affairs of men and federation of sisterly states should take its place, but so long as there are Empires, it is not in the interests of humanity that some of them should be dissolved for the enlargement and glorification of others. In the present state of world politics, the liberty of such states as are now being created by the dissolution of the Turkish Empire is not worth even a day's purchase. Syria, Palestine and Mesopotamia are being absorbed in the British and French Empires. Arabia and Kurdistan and Armenia cannot but be vassal States. Turkey itself, under the Treaty, is hardly in a better position than the Nizam of Hyderabad. In an unguarded moment Lloyd George has said : "We have got Constantinople. We have got Mesopotamia. We have got Palestine." The Allies would have been perfectly justified in insisting on establishing autonomous governments in all the component parts of the Turkish Empire, with a tie of federation joining them all for purposes of defence. But as the matter at present stands, Muslim independence is entirely gone. What Arabia, Palestine, Mesopotamia, Syria, Kurdistan and Anatolia are getting is only a shadow and not the substance.

It is impossible to believe that the British and the French quarrels over the oil of Mosul are all disinterested, or they are in the interest of the Muslim world. France, Italy and Great Britain have just made a treaty defining their economic interests in these territories, without consulting Turkey.

In my judgment the position of the Turks in Anatolia and Constantinople is worse than that of Germans in Germany and of the Austrians in Austria. It cannot be said that the Treaty secures them the sovereignty of Thrace or of the Turkish parts of Empire or of the rich and renowned lands of Asia Minor. In an article in the *Servant of India*, dated 19th August 1920, our friend Mr. C. F. Andrews has explained the meaning of that

sentence. He quotes chapter and verse for the following opinion :

"Furthermore, we have now the fact brought to light, that every other Allied power appears to the British as paramount in Aleppo and Damascus and the Greeks as paramount in Smyrna and Adrianople. All the military defences of Constantinople are in the hands of the British. The Sultan himself, his Vizier, and his Cabinet sign dutifully and unanimously British orders. Recalcitrant officials have been effectively dealt with. Financial control has been taken from the Turkish Government; and the Sultan has been made, not only a prisoner in his own palace, to all intents and purposes, but also practically a pauper and a mendicant, dependent on the hated foreigner for every penny of his income. It is this situation, which has made Europe regard the British military occupation as complete and lasting."

Reform Rules and Regulations

It is not my intention to detain you long over the Reform Rules and Regulations. The Parliament has finally passed them and they have already been put into operation. My attitude towards the Reform Scheme may be summed up in one sentence. It was one of partial elation in 1918, it sank into one of depression in 1919, it changed almost into one of despair in 1920. From the frankness that characterised the statements made in the Joint Report of the Secretary of State and Viceroy, I concluded that they meant exactly what they had said. But soon after, the resolution relating to the Arms Act and the Local Self-government and the action of the Government in the matter of admitting Indians into the commissioned ranks of the Indian Army, disillusioned me. Then came the Reform Act, with its reservations and limitations. The way in which the Secretary of State has been encumbering Indian finances and sanctioning increase after increase in the salaries and allowances of the Civil and Military service, the rules that have been made for the selection of such Indian Civil Servants as are to be nominated in India, the latest development of policy in regard

to Currency, Exchange, Reserve Bills, and last but not the least the tenderness which has been shown in dealing with the culprits in the Punjab tragedy have shattered all my hopes. The Reform Scheme as originally formulated, carried in its bosom the germs of disease. These germs have so fearfully developed since then that Colonel Wedgwood was perfectly justified in arguing that "the people of India think and rightly think, that the rules and regulations and the decisions of the Joint Committee, have whittled down the recommendations of the Montagu-Chelmsford Report and have made the Act, as it is put into operation now, far worse than the recommendation of the original Report led them to expect." Now I must say that in one or two respects the Reform Act has made an improvement on the original scheme, but on the whole it has disappointed the hopes that were raised by the latter. Nor is this any matter for wonder. The Rules and Regulations have been framed by the bureaucracy and represent their mind. The people of India have had very little to say in the drafting of them, and what little they said has gone unheeded. The restictions imposed on the selection of candidates, the refusal to enfranchise the wage-earning classes and women, the constitution of the territorial constituencies and the almost autocratic powers given to the Governors, have considerably reduced the value of the Reforms, even such as they were. The distinction between dismissed Government servants and dismissed or suspended lawyers and between rural and urban constituencies is on the face of it absurd. The tenderness shown towards European commercial interests is significant and even more significant is the anxiety to keep out of the Councils the leading victims of Martial Law. In the Punjab, Indian Trade and Commerce remains unrepresented and also the Depressed Classes and the wage-earners. The rules of procedure are as reactionary as the ingenuity of the bureaucracy could make them. In fact, all round, so far as the Rules and Regulations are concerned, the bureaucracy have won and the Indian people have lost. (My friend, Mr. V. J. Patel, has returned to India perhaps sadder and wiser for his troubles. He will, I am, sure, throw much more light on the subject than I can.) It has been found that blood is thicker than water. It has happened in this

case as it did in the case of the Morley-Minto reforms, and it will continue to be like that, until the people of India make up their minds that what they want is the whole loaf and not merely half of it. I would have no objection to take even the half, provided I was sure that the half offered was not selected by the bureaucracy. The bureaucracy is so adept in the art of mixing and cooking that the half which they propose to retain, contains all the nourishment of the whole leaving the other half worse than chaff. They manage it so skilfully that in the process of doughing they mix many a germ of discase in the half which they propose to let you have. It will be a marvel of good fortune, if with all the distinctions of Hindus, Mussalmans, Sikhs and Christians, of urban and rural, of Brahmans and Non-Brahmans, of residents and non-residents, of British subjects and those of Native States, of military and civil, made in the Rules and Regulations, we are still abie to evolve a national spirit which will rise above these differences and consolidate us into one people, with a will to live and prosper as a free nation.

Non-Co-operation

At the meeting of the All-India Congress Committee, which sanctioned the convening of this special session, it was proposed by Mr. Gandhi that, as a protest against the Turkish Peace Treaty and the decision of the Government in regard to the Punjab affairs, that Committee should recommend a programme of Non-co-operation to the country. Mr. Gandhi's programme of Non-co-operation includes the boycott of the reformed Councils. The All-India Congress Committee considered that it was not within its competence to accept this proposition as it was opposed to the Resolution of the Amritsar Congress relating to the Reform Scheme. It did not, at the same time, think it right to dispose of the matter without giving the country, as a whole, an opportunity of pronouncing on it. So it has referred the whole matter to this special session.

The question has since then been widely discussed in the country, on the platform, and in the press. The Central

Khilafat Committee under the leadership of Mr. Gandhi have already started their campaign of Non-co-operation. Some Provincial Congress Committees have, by majority of votes, accepted the principle of Non-co-operation but have recommended no action, pending the decision of this assembly. The question is very much agitating the public mind and has divided the country into two opposing camps. On both sides are ranged revered and respected leaders. Much feeling has been imported into the discussion. Under the circumstances, I have decided that, as President of this assembly, the proper course for me at this stage is to refrain from expressing any opinion no this subject.

I am aware that in the past Presidents have generally discussed all important political questions of the day in their presidential addresses, but then until very recently the country was practically unanimous on all questions which the Congress was expected to deal with.

On the other hand, I believe there is an unwritten tradition that the Congress President, as the spokesman of the country, is expected to deal only with questions on which the country is unanimous or almost unanimous. There is a great deal of wisdom in that tradition. If the Congress is to maintain its character as a National Assembly, those who are selected for the office of the President must not be partisans in the ordinary sense of the term. Whatever his personal opinions, the President cannot be speaking for, and in the name of the country, if he makes a pronouncement on which the country is not unanimous. If his views do not happen to coincide with those of the majority, both he and the Congress would find the situation rather awkward. The President should not try to anticipate the decision of the Congress on a question on which the country is so sharply divided, as it is on the question before us I, therefore, think that the best interests of the country and the traditions of the high office to which you have elected me, require that for the present, and in this address, I should say nothing on this much-debated question. In deciding to do so, I am adopting a course which, in my judgment, will enable you

hereafter to maintain the national character of this assembly, and which will also have the additional merit of not narrowing the field from which to select your future Presidents. In these days of active political life, when every new day the country may be expected to be confronted with problems on which there is room for differences of opinion among the best and the most respected of the country's leaders, you cannot afford to select your Presidents from amongst men who have kept aloof from active political life. No person who is actively interested in the political life of his country can possibly remain neutral on any important questions on the merest chance of being called upon to preside over a session of the Congress. Nor would such an office-seeker be worthy of this high office. The Congress Presidents must continue to be selected, as far as possible, from among men who have been in the forefront of the political life of the country. It should not be difficult for many among them, to be absolutely impartial when presiding over discussions of controversial subjects, in spite of their having their own personal opinions one way or the other.

In my humble judgment, the President of the Indian National Congress is the mouth-piece of the country only on questions on which the country is unanimous or practically unanimous. Acting on this principle, the moment I decided to accept the honour to which I was called by the vote of the All-India Congress Committee, I made up my mind to follow this course. Since then I have devoted much thought to it but I have not seen any reason to change my opinion. I hope and trust that my decision will meet with your approval. I have my personal opinion on the questions involved in the programme of Non-co-operation but during the session of the Congress I will conduct the proceedings without taking sides.

This, however, does not prevent me from making some general observations on the subject. Before we consider Non-co-operation let us start with co-operation. Co operation of the people with the Government is based on one of the two assumptions, either that the Government represents them, or that the Government is there to protect their interests. Now in India

the first of these two assumptions cannot hold good. The second is unhappily in the course of being shattered to pieces, if not already gone. Co-operation with Government, again, is of two kinds; one enforceable by law and, therefore, compulsory, for example the payment of taxes, or serving the army under conscription; the other is voluntary, for example accepting Government service or joining the Councils and so. In the case of the former, e ery refusal is punishable. As for the latter, there again you have to distinguish between co-operation which is obviously for the country's benefit and that which is not so. Co-operation determined solely or mainly by economic considerations can only be refused, if we can find economic alternatives. Co-operation inspired by the considerations of honour and dignity can be easily refused if the mentality of the people regarding honour and dignity can be changed. Last, but not the least, in the same class you may consider co-operation which gives you opportunities of serving your country by attacking the citadels of power and privilege from the inside.

Co-operation or refusal of it, then, must be judged by (a) its obligatory or voluntary nature (b) by its economic consequences, (c) by its inherent morality and (d) by its utility as a weapon of attack or defence.

Co-operation which is immoral or which makes you a tool of a foreign bureaucracy or which leaves you no option but to give effect to their orders, stands on an entirely different footing from one which is obviously for the benefit of the country. Similarly co-operation, which is inspired by economic necessity stands on a different footing from the one which is solely or mainly based on considerations of honour and dignity. Then again you must consider if your refusal of co-operation proceeds from the desire to make an immediate effective impression on the Government or from the motive of habituating the people to take their destiny in their own hands.

These, then, are the issues involved in the great question of Non-co-operation.

With your permission, I may also sound a general note of warning. We are passing through critical times. The minds of men are in ferment not only in this country of ours, but all over the world. Ideals, ideas, principles, convictions, sentiments, opinions, beliefs, creeds and all things, for which men have so far lived and fought are in the melting pot. Democracy is in the air but not that democracy which has brought the old world near its end in one great war. We are promised a new kind of democracy which would make no distinctions of colour, creed, caste, civilisation or culture. It would recognise no barrier between men and men which are the outcome of artificial social distinctions. It aims to raise the dignity of *man* as such Under the circumstances, it is our duty to take into consideration more than we ever did before, the interests of those who are for the present mere men and women, with no adjectives or prefixes before their names to enable them either to vote for the legislative assemblies of the country or to exercise any other political right, giving them a voice in the determination of their destinies. These men and women have begun to think, not that they did not think before. Thank God, the masses of this country have never been unthinking animals. But what they used to think of before is different from what they are thinking now. In one word, they have begun to think politically. Bitter experience, economic want, Rowlatt Bills and the Martial Law orders, have indeed not only taught them to think politically but also to think vigorously. They feel and realise more keenly and more actively than they perhaps ever did before, the difference between politically free men and those that are not so. In certain respects they are already ahead of those who are supposed to have a stake in the country. They feel that the men without property have a greater and more real stake in the country than men with property. The latter can go and settle and live wherever they like. The whole world is open to them. They are perfectly welcome in every civilised country. But the former can go nowhere except as indentured coolies or as mercenary soldiers, privileges ot which they are already quite sick. They want their country for themselves an they are keen on getting it as soon as circumstances permit. Under the circumstances, let me beg

of you to think well before you decide the momentous question before you. Whatever you decide, be prepared to act up to your decision regardless of the consequences to your personal interest. Let not your decisions be vitiated by considerations of personal or class interests.

The Masses

The general public, including the masses, are in no mood to be trifled with either by the Government or by yourselves. They have waited sufficiently long, and they want immediate relief from economic want and from political bondage. They may not understand complicated questions of Finance, Currency, Military organisation, or the like. They may not be able to express opinions on abstract theories of State, but they do know that the country at present is not being governed in their interests. They are quite aware of the supercilious claims that are being put forward by British statesmen of all kinds from the O'Dwyers, Sydenhams and Sumners of the Tory school to the Mestons, MacDonnels and Montagus of the democratic wing, that the British can and do look after the interests of the masses of this country even better than their educated countrymen. They know that when the question arises whether vote should be given to "the man on the soil, the man behind the plough, and the man whose life is a question between a crop and a crop", it is the British statesman who stands between them and their right. They know also that when the question arises of how best to spend the revenue raised from them, the people whose interests get precedence over theirs, are the British Civilian, the British Army man, the British manufacturer, the British banker and the British trader. They have seen through the newspapers how lavishly and generously the British Secretary of State has been solicitous of conciliating the British and the allied highly paid Indian servants of the Crown by giving them large increments in the princely salaries which they are already enjoying. While the British Government readily recognises that the man drawing from Rs. 500 to Rs. 3,000 or 4,000 a month is hard hit by the increase in the cost of living, they shut their eyes to the fact that the

said increase has cut the very ground from under the feet of ordinary wage-earner, the small agriculturist and the low-paid clerk. Last, but not the least, they have seen that, however tyrannical and oppressive the conduct of a British or Indian officer may be, the greatest punishment that can be meted out to him is to be compulsorily retired on a pension, a punishment which really falls on the tax-payer.

Just imagine, Ladies and Gentlemen, the inequity of the fact that the Indian tax-payer, whose women were insulted, whose crops were ruined, whose sons were flogged, who in his own person, or in that of his relatives or countrymen was humiliated, imprisoned and trodden under foot, is being made to pay for the comfortable living in Great Britain of a Michael O'Dwyer and Bosworth Smith. The other day, when I mentioned Bosworth Smith to a senior Punjab Civilian, he said, "that fellow was mad". Yet this same mad man not only ruled districts as big in size perhaps as Wales for a number of years, but still is to be a burden on the Indian revenue.

Believe me, Ladies and Gentlemen, the masses of this country are feeling the hardship of the present system of administration even more keenly than the educated Indian. I do not wish to be an alarmist but let me tell you quite frankly that if the Government and the more comfortably placed among ourselves do not desire a revolution, they have to do something tangible, material and substantial, to remove these impressions and do it quick. The persecution of a few educated leaders will only make the situation worse. Educated leaders, on the whole, exercise a restraining influence. Remove that influence as was done by deporting Drs. Kitchlew and Satyapal and the consequences will be disastrous.

The recent appointments of Lord Sinha and Mr. Sharma and Dr. Sapru, are excellent in themselves. I may even congratulate these gentlemen on their good luck and the Government on their wisdom but as remedies for the existing discontent they are hopelessly inadequate. A few years before, they might have thrilled our imagination but coming after the Punjab tragedy,

they have naturally fallen flat. What people want are not appointments but the power to make them. As nominees of Mr. Montagu, Lord Sinha and Messrs. Shafi, Sharma and Sapru, are the servants of the British Ministry and not of the Indian people. We have every reason to be happy that some of our countrymen will share the loaves and fishes that were so far reserved only for the Britishers. We are also happy that they will have opportunities of serving their country in positions of responsibility and we are confident that they will discharge their duties very well and possibly to the credit of their country. All that may be true, yet we cannot help feeling that they are not the servants of the people of India, but their masters. Ladies and Gentlemen, what we want are not masters, imposed from without, but servants selected and honoured from within. The fact that Lord Sinha might get a salary of a lakh of rupees or more, or that our other friends might get salaries of Rs. 80,000 or so does not make us forget that about forty per cent of the Indian revenues are spent on the maintenance of an army which is being used for aggressive Imperial purposes, that millions of our countrymen and countrywomen are denied the ordinary amenities of human life and that they are being ruled by many who share the sentiments of O'Dwyer and Bosworth Smith.

Whatever you decide, remember these facts. The greatest need of the situation is the uplift of the masses, educational, social, as well as economical. Co-operation or Non-co-operation, that must be our aim and purpose and that must be our motive and inspiration. The masses must feel that we are working for them, and in their interests.

This leads me to another point. How far we must lead or be led by the masses ? During the last six months since I landed on the 20th February last, I have been in close touch with the masses of my countrymen. I have seen them in their thousands, in processions, at meetings and have met their representatives in private. I have seen their political awakening. It has exceeded my wildest expectations. Under the cirumstances, we have to remember that in any programme we make, we must carry the masses along with us. While it will be wrong on our part to

allow our deliberate judgment to be over-ruled by the masses, it will be equally unwise and perhaps fatal to ignore them. There are some worthy men who are disposed to confound the people with mobs; they believe that true leadership requires the disregard of the opinions and wishes of the people. With due respect to them I have no hesitation in saying that I do not share their belief. The masses change their character into mobs when they are inflamed by passion and anger, and are filled with a desire for revenge and as a rule this happens only under grave provocation. In that situation it becomes the duty of the leaders to be firm and save the situation by tact and skill. (The Punjab leaders at Lahore, Amritsar, Gujranwala and Kasur tried to do this and would, I verily believe, have saved the situation but for the meddling and blundering of the bureaucracy who were out for producing a moral effect. The situation at Delhi was actually saved by the tactful leadership of Swami Shraddhanand and the equally wise behaviour of the Chief Commissioner. Such, however, are exceptional occasions). Under ordinary circumstances wise leadership involves understanding of the mass mind in a spirit of sympathy and respect. There may be occasions when majority or no majority, one has to go by the voice of one's own conscience but in practical politics such occasions are not frequent nor many. I will, therefore, beg of my fellow Congressmen to bear these considerations in mind when deciding the question before them. We must arrive at a conclusion satisfactory to the general body of our countrymen in whose interests and for whose welfare we are striving. We must not lose the lead of the people either by marching too far ahead of them, or by lagging behind. Both will be fatal to the best interests of the country.

In their present mood, the masses demand that we shall do something over and above the mere passing of resolutions. But I believe they want also that we shall not lose such opportunities of alleviating their condition and helping them in their little things, as we possess or which the law allows us.

Despotism of a Democracy worse than that of a Monarch

Ladies and Gentlemen, before I conclude, let me submit for

your consideration one more thought. There is no such thing as benevolence in international politics, although there is such a thing as enlightened self-interest. The despotism of a democracy is in my judgment more fatal for subject people than that of an absolute monarch. The situation which you have to face is from this point of view more difficult and complex than the one your ancestors had to face even under the despotism of an Aurangzeb.

I would, therefore, very much like to warn my countrymen against being under any delusion as to the justice-loving nature or high-mindedness of any democracy in the world, British or other. I was in this matter disillusioned by my first visit to England in 1905. Since then I have had many opportunities of studying the nature and the character of several democracies (British, American and Japanese) and you may take it from me, that although th re are men and women in these democracies who are absolutely just and high-minded, guided by the purest of motives in dealing with subject peoples and backward races, the bulk of them, be they of England or of America, not to speak of Japan, know only one thing, namely, their own interest of their race. There are sections of these democracies whose own class interests require the destruction of militarism and imperialism and who will, therefore, sympathise with those of the subject people who are struggling for emancipation. It is wise on your part to ally yourselves with them. But place no faith in the professions of those who, however liberal, worship at the shrine of Imperialism The recent Parlaimentary debate on the Punjab affairs ought to dispel all illusions if there were any still left, on that score. The Imperialist Liberals in the House of Commons with a few noble exceptions, showed no sympathy for the sufferings of the Punjabees, in spite of the eloquent pleadings of men like Mr. T. J. Bennet, Colonel Wedgwood and Mr. Ben Spoor. Liberals in the House of Lords were among the most violent supporters of the military rule. It was a sight for the gods to see. Lords Curzon, Milner and Birkenhead pleading for conciliation and Lords Ampthill and MacDonnel supporting brute force.

Have as many friends as you can have, among Englishmen and others, but have faith in yourselves alone.

It is much better to go rather slowly than deluded by promises held out to us by people who are not in a position to fulfil those promises, or who do not mean what they say or who promise in diplomatic language. Our progress depends more than anything else upon the volume and vigour of our own public opinion in this country. It will be wise to have this supplemented by the moral support of the great nations of the world, since by virtue of being a member of the League of Nations, we can now legitimately appeal to them for such moral support.

Our success will be determined by the extent of our earnestness, the spirit of self-sacrifice in the leaders, the spirit of self-denial in the rank and file, the power to lead righteously and to be led by righteous men. The time has come when we must decide between the freedom of body and soul and the life of convenience and comparative ease which is allowed to a few of us under the present system. If we decide former, we must be prepared for the consequences. But if we choose the latter, we must not cry if we do not get the moon. That is the real issue before you and I know I can leave this issue with confidence in your hands.

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APPRECIATION OF PARLIAMENTARY DEMOCRACY*

Fellow Delegates, Ladies and Gentlemen,

I rise to discharge my duty in obedience to my country's call. And the first part of my duty today is to return my warm and sincere thanks to you for the honour you have done me in reposing this great trust in me. It would be mere affection on my part if I appear to be indifferent to the very genuine pleasure you have enabled me to derive from your confidence. I am one of the oldest congressmen and it would be unnatural if I do not feel in the highest degree grateful for the best of all rewards, the affection and confidence of my countrymen. But believe me, when, in the simplicity of my heart, I say that my pleasure would have been far greater and less mingled with any uneasy feelings if such an honour had been bestowed on me some years ago or reserved for me to be earned in the future. For, anxious, most religiously anxious as I am to perform my allotted task earnestly and with courage, I feel considerably embarrassed owing to the fact that the political situation in which we find ourselves placed now is grave and complicated beyond our expectation and conception. My inspiring consolation lies in the hope that you will extend to me throughout this session a liberal measure of your kindness and indulgence to sustain me in my consciousness of my shortcomings and infirmities disabling from rising equal to the responsibilities of this great and unique occasion. And on this occasion and in this presence it is impossible for me to resist the very natural

***Presidential address delivered by C. Vijayraghavachariar at the Nagpur Congress held on 26—31 December, 1920.**

temptation to say how deeply I lament the fact that if that great son of India whose manhood was a life of selfless suffering in our country's cause in a spirit of dedication rarely surpassed in the annals of national struggles for freedom, Lokmanya Tilak, had been spared, the confidence you have reposed in me today had been of very superior right, his and would have been, happily, not mine.

The business before us is as trying as it is great in every interest. We have to conceive and adopt a message to be sent to our gracious sovereign and to the great peoples of the world. And that message is that the people of India are now placed by their rulers in an intolerable position and that they are determined forthwith to make their beautiful country "fit and safe" for her sons and daughters to live in, and that any further delay in their achievement of this vital object means ruin to them and peril to the Empire if not to the future peace of the world.

The problem for us now is how best to accomplish this great task. At the outset let us know that we are exactly in order that we might clearly know what we are about. We are, of our own free-will and consent a constituent people of the great British Commonwealth by virtue of an original compact and this national institution of ours was for years in the womb of time and was started into life thirty-five years ago in order to persuade and compel the other party to the compact to loyally perform their duties and obligations under it in view to the political regeneration of our country and to reach our destined status of an equal partner in the possession and enjoyment of the blessings of the English constitution with the rest of the nations composing the British Commonwealth. We are satisfied, mournfully satisfied, that the time has arrived, if it had not risen years ago, for the immediate establishment of responsible government for British India with an instrument in writing containing a declaration of the fundamental rights of the people and a constitution similar to the constitution of the United Kingdom and the Self-Governing Dominions. We are here to ask the other party to the original compact that they may not

further postpone the performance of their part of the agreement in integrity, in letter and spirit and to let us arm ourselves with law and machinery to prevent them and their agents henceforth from committing breaches thereof, at least not with impunity, as hitherto.

I have prepared and annexed to this address a draft statute of the nature of the instrument just described. I do not think I need detain you by reading it through. I think I might better employ the time at my disposal by inviting your attention to the leading principles and provisions of the scheme which I have ventured to submit for your consideration and approval with such modifications, as you might deem fit to adopt in the right of our discussion and deliberation in this session. It might say here that there is hardly any principle or provision in it which is original They have all been taken from great political works and from the constitutional instruments of some of the most advanced countries, pre-eminently France. I might also add that this scheme was, in the main, placed before the Right Hon'ble The Secretary of State and His Excellency The Viceroy in my interview with them three years ago, when, they were touring in the country in connection with the then coming Reforms.

The most important part in the proposed scheme relates to a declaration of our fundamental rights as men and as British citizens. It is impossible to exaggerate the importance of a written constitution. Almost all modern countries possessed of a constitutional government have written constitutions. England seems to be the only exception but only a partial exception, for her constitution is made up as well of charters and statutes as of traditions and usages preserved as common law by the line of great judges who contributed to the national freedom of England no less than her great statesmen and soldiers. I venture to submit that it is too late to think of an unwrittten constitution.

An unwritten constitution can only grow and cannot be made in a day. The English constitution may be said to begin

with the *Magna Charta* seven centuries ago, and it may be said to have been most perfected after the Reform Act of 1832. Obviously it is unreasonable to expect India to begin the growth of its constitution now and wait for centuries for its full development. Apart from this consideration all authorities are quite the other way as to the superior advantages of a written constitution. Professor Temperley emphasises the danger of an unwritten constitution. Says he as follows : "In two respects an unwritten constitution in a country constitutes a most serious danger; in the first place custom may be susceptible of two meanings while law is only susceptible of one, and the interpretation of constitutional custom offers great opportunities to reckless or unscrupulous statesmen. This danger is real enough, but there is another that is greater still; the procedure of the English Parliament is the same in the case of ordinary laws and of laws which are amendments to the constitution. In all countries where a written constitution exists the procedure for amending is special, elaborate and cumbrous; in England there is no difference between the procedure which sanctions a law for taxing dogs and that which sanctions a law for abolishing Peers."

The greatest political thinker of England, Edmund Burke, is in raptures on the great merits of a written constitution. Says he :

"The rights of men, that is to say, the natural rights of mankind, are indeed sacred things; and if any public measure is proved mischievously to affect them. the objection ought to be fatal to that measure, even if no charter of all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power, and authority, by written instruments and positive engagements, they are in a still better condition : they partake not only the sanctity of the object so secured, but of that solemn public faith itself, which secures an object of such importance. Indeed this formal recognition, by sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding, radical principles

of government, and even of society itself. The charters, which we call by distinction great, are public instruments of this nature; I mean the charters of King John and King Henry the third. The things secured by these instruments may, without any deceitful ambiguity, he very fitly called the chartered rights of men."

Besides, a written declaration of rights is a great instrument of national education. We all know that the laws of the twelve tables in ancient Rome were taught to the children and they had to know them by heart as if they were the Vedas or the Koran. This practice in no small degree contributed to the vitality of the great republic. An early and accurate knowledge of one's fundamental rights is also a measure of one's conception of similar rights of one's fellow citizens, and consequently of the mutual duties of the citizens of a state.

Such a study is a great contributory factor in the creation of those habits of mind which enable individuals to enjoy their full freedom in peace and harmony with their fellow citizens.

I desire distinctly to assert and maintain that it is no exaggeration to say that the declaration of the fundamental rights of humanity should be studied and regarded by the youth of a nation as if it were a gospel. The political gospel reached by the efforts of man and not revealed is the hand-maid of the revealed religious gospel, and the bed-rock of its principles is human experience of its utility and human wisdom and not faith unaided by reason. Although all civilised countries, ancient and modern, developed great political concepts and built up systems of political philosophy, the glory of discovering and rescuing the primary rights of man from the obscure depths of history and phliosophy belongs to France. It was her philosophers who not only so discovered and rescued them but also enunciated them with exactitude and draped them in the freshest and most attractive garb of phraseology. It was the most precious French blood that was shed to enthrone and consecrate them at the altar not only of patriotism but also of humanity. While English patriots claimed and established

their political rights in terms of ancient English pedigree and heritage, France thought, spoke, fought and bled for humanity in terms of humanity. The one cardinal divine principal underlying all these rights is that man is not the proprietor but trustee of his life. He is, therefore not the proprietor but the trustee, accountable to society and to God, of the essential constituents that make up human life. We can easily understand, therefore, the principle and doctrine that our rights of personal freedom, liberty of thought and speech, and the other vital rights without which the fullest, freest and healthiest life is impossible are inalienable and imprescriptible. We cannot part with them or surrender them, except by way of noble self-sacrifice in the service of humanity; nor may they be invaded upon and appropriated on the ground of prescription, that is to say on the ground that we once and long ago lost them. Hence, this is the source of all human laws and all machinery to enact and execute those laws must be in its nature and functions framed in consonance with the spirit and letter of these fundamental rights. M. Poincare, the late distinguished President of the French Republic, most aptly calls the Declaration of Rights the "Law of all Laws". And he further adds that every society in which the guarantee of fundamental rights is not assured may be said to have no constitution at all.

Nextly, the scheme contains provision as to the nature and functions of the machinery of Government, of what Professor Dicey happily calls the legal agency of the political sovereignty of the people. This is scheme of responsible government in the outline.

I venture to think that few would dispute the fact that responsible government is the best form of government as yet developed for a free country. The expression responsible government involves the idea of a double responsibility, i e., the responsibility of the executive government to the legislature being representative of the sovereign people, and the responsibility of the entire personnel of the executive government for the acts of every one of them as if they constituted but a single person. The one other form of government that may be claimed

Government as such has been accepted as the policy of His Majesty in Parliament.

The only other part of the proposed draft Constitution to which I would call your attention relates to the power of altering the constitution from time to time, to be held and exercised by the Indian Legislature. That is to say, this legislature is not only to be a law-making body and to have control of the executive but also to be what is known as a constituent body. This provision embodies the principle of national sovereignty and the power to alter the constitution is delegated to the legislature by the sovereign people. Without this power it would be a mere delusion to say that the people of this country have the rights of self-determination and political sovereignty. This constituent power is, according to the same great French authority, "the begining and the end and the very essence of sovereignty".

You will observe that this power on the part of the legislature is to be exercised not in the ordinary way in which ordinary laws are made but by a special procedure. This is in accordance with the principles adopted by all the free countries with a written constitution. The special procedure is that any proposed amendment to the constitution should be passed by a majority of not less than two-thirds of the members of either chamber of the legislature and that the measure should be submitted to the judgment of the country by the dissolution of the legislature for the purpose and that the new legislature should adopt and pass it by similar majorities in both the chambers. You will thus see that this procedure ensures not only certain and deliberate discussion but gives to the country the advantages of a referendum before its constitution can be interfered with.

There is one section devoted to the subject of the creation of a Court of Impeachment for the trial of ministers on charges brought against them as such.

I desire next to invite your attention to the question how this responsible government is to become an accomplished fact

technically, if our rulers are prepared, as we expect them to be, to consent to the immediate establishment of it. There are three ways by which this problem can be solved, (1) by a statute of Parliament, (2) by Letters Patent of His Majesty the King Emperor and by instructions by the Secretary of State for India, and (3) by an Act of the Indian Legislature. The first and the last would be most difficult to achieve and when achieved, by no means most satisfactory for all practical purposes. We have seen the mentality of the Parliament, especially of the House of Lords, as displayed in connection with the two recent matters vitally affecting the freedom and well-being of this country, namely, the Reform Act and Rules and the Punjab tragedy. The key-note of the mind and spirit of Parliament inferrable from conduct on these two occasions as on many others, is to be found in their contempt of the vital rights of the people of this country and the upholding by all possible means the power and prestige of the existing Government and bureaucracy of India. We cannot easily forgive, much less forget, the resolution of the Lords on Lord Finlay's motion to defend and even consecrate the wilful murders of the "splendid beast", General Dyer. I am sure that you would be most anxious to avoid the House of Lords if we can get our responsible government without being obliged to have recourse to it. I believe, we can.

I would respectfully ask you to dismiss from all consideration the third of the methods mentioned above. Even if it be possible for us to get the elected and non-official members of the new Indian Legislature to act in concert and to originate a measure for the conversion of the existing system into responsible government, which, in my humble opinion, they have the power to do, the bureaucracy would not allow the successful passage and termination of such a measure in anything like the form which we should like to have or in any form at all. By law and rules they have immense powers of obstruction to enactment of popular measures.

Victoria, Cape Colony, and Natal converted their government with merely representative legislatures into governments with ministerial responsibility to the legislature by acts of their own

legislatures which were approved by the Sovereign by order in Council and without any reference to Parliament.

I have now come to the second of the two methods and I should crave your permission to detain you at some length on a consideration of it. In the first place, it must be remembered that the prerogative right of the English King includes legislative powers and quasi-legislative powers except when restrained by parliamentary statute. On the other hand, no parliamentary statute is constitutionally needed to change and elevate a merely representative government into a responsible government is merely a more efficient and a more perfect representative government. The responsible government of England is a development of the previous representative system. It does not owe its origin to any parliamentary statute. We all know that it was in view to get more and more money for carrying on the war on the continent against Louis XIV, that William III hit, under the advice of Sunderland, at the idea of constructing his ministry from that party in Parliament which commanded the confidence of the majority in the Commons, that party being then Whigs. Thenceforward, conventions and usages due to several circumstances perfected the system of Cabinet Government and Parliamentary sovereignty. There are precedents in support of the view I ask you to accept, to be found in the history of the introduction of responsible government in the British Colonies. For instance, Transvaal and Orange Free State were constituted into responsible government by Letters Patent in 1906 and 1907 respectively. In several other instances in the colonies the change from representative to responsible government was effected by private instructions to the Colonial Governor from the Colonial Office without recourse to Imperial Legislation of even to Royal prerogative. Indeed, it would be difficult to imagine a parliamentary statute that can fully embody the conventions and usages governing parliamentary sovereignty and cabinet responsibility.

I should not attempt to conceal from ourselves that there are certain provisions in the Government of India Act, 1919 which apparently tie the hands of our Gracious Sovereign in the exer-

cise of his prerogative on our behalf in this connection. We have to look for them in the preamble and in section 41 of the enacting part. The preamble says that it is the declared policy of Parliament to allow British India responsible government by stages conditioned by the extent of confidence that can be reposed in the sense of responsibility of persons co-operating with the Government and that Parliament is the sole judge as to the time and manner of each advance. This is a most extraordinary claim by the British Parliament of absolute authority over the country and people of British India. May we ask what is the source of this authority so pompously claimed? Remember we had no voice in the election of the Commons and the House of Lords never pretended to be a hereditary reflection of the opinion of this country; but can Parliament advance such a claim as against the people of the United Kingdom itself whose creation they are?

If it did make the attempt, that would be the last Parliament of the kind. Wherefrom then does it advance such a preposterous claim over and as against India? You would in vain search for any hint as to the source of this authority. It is nothing short of pretensions to a divine right to absolute rule over us. Having destroyed, some three centuries ago, the claim of Divine Right of the English Kings and having declared that the relation between the people of England and their kings rests upon an original compact it is a mockery of all political principles and equity for British Parliament to advance such a claim as against poor India. We have protested and must continue to protest against the manifest injustice to the people of this country involved in this claim. Any such claim by the British Parliament can only be made on behalf of the British people. Is it pretended that the people of the United Kingdom ever claimed such a right over the people of his country? They can only do so if the people of India are the slaves and property of the prople of England.

The claim is a negation of all principles of sovereignty in a people and of the first principles of self-determination in the maintenance and protection of which the greatest war on this

planet was fought by England and her Allies. This claim is an insult to the nation of India and a fraud and a huge fraud, upon their God-given rights and upon their rights admittedly as British citizens.

The Parliament of England does not appear to have a historic memory. We all know that the United States of America protested and fought less against the enacting portion of the Stamp Act and more against the preamble of it. The evil caused by the imposition of the tax was considered as constituting a much lesser actual grievance than the magnitude of expected tyranny involved in the claim set out in the preamble that the British Parliament could tax the colonies without their own consent. Burke declared that preamble could not be declaratory of a right and could only recite a previously existing one, and he described it as a "phantom", as a "quiddity," "a thing without a substance and without even a name." We might justly say therefore that the declaration made in this preamble of the Divine Right to govern the people of India is a "phantom", a "quididty", "a thing without a substance and even without a name.

Assuming for a moment that the peamble of our Act involves sou d principles and declarations of parliamentary rights as against us, it is not binding on us or on our Gracious Sovereign, because it is a settled judicial principle that a preamble is no part of the enactment, and is no law.

There is also another principle of interpretation of British Parliamentary Statutes to which I would call your attention. It is a canon of interpretation and it is without an exception that the Sovereign of England cannot be affected in his prerogative or property by any parliamentary statute without his own consent thereto and unless he is expressly named in it or included by irresistible implication. And the fact that His Majesty did not exercise his long dormant power of veto cannot be deemed to be consent to this extraordinary provision.

This last canon of interpretation applied also to the

provisions contained in Section 41 of the Act. That section says that, at the end of ten years from the passing of this Act, the Secretary of State for India shall appoint a Commission with the concurrence of each House of Pariament and with the approval of His Majesty for the purpose of inquiring into the working of this Act and then make recommendations in one of three ways (1) to increase the powers of the legislature presumably the local legislatures (2), or leave them alone (3), or to curtail them. Nothing is said anywhere in the Act as to what is the consequence if any of the four events on the happening of which this Commission should come into existence does not take place, that is to say if the Secretary of State fails to act as directed or if if either House of Parliament declines to give its assent to this proposal or if His Majesty disapproves of it. It is very clear that these provisions are of the nature of administrative instructions and are merely directory and not mandatory law.

The Right Hon'ble Mr. Fisher admitted that this section would not prevent a revision of the whole new system in less than ten years and it is only a right conferred upon the people of India that such an enquiry should take place at the end of at least ten years. We can well afford to waive this commission.

If then the system of responsible Government can be immediately established for the Government of this country by simple executive process, the very natural question is whether the Right Hon'ble the Secretary of State for India would consent to cooperate with us and induce the Cabinet to concur with him and advise His Majesty to be graciously pleased to issue the necessary instructions by Letters Patent under the Great Seal. We have seen him occasionally rising to lofty eloquence in defence of our rights. It is true, but too painfully true, that his acts in no way breathe the liberality and wisdom of such occasional eloquent statements. Perhaps it is open to him and his admirers to think of same excuse as was the plea of Charles II who when twitted that he never said a foolish thing and never

did a wise one, made a splendid repartee that his wise words were his own but that the foolish acts were, of his ministers and to say that his (Mr. Montagu's) words in eloquent defence of our national rights were exclusively his own but that .his hands are greatly tied as to his acts. If such a plea is put forward on behalf of our Secretary of State, we cannot say that there is not some real basis for it.

But this demand of ours to establish responsible government by his advice to the King Emperor without the legal assistance of Parliament would give him a splendid opportunity when he could act as wisely as ever he spoke for us. No doubt it would be perhaps safer to get the concurrence of the Commons for the proposal as the Cabinet depends for its existence upon the good-will of the Commons. But we all know that the present House of Commons has, in view to win the late war and under the streets of it, been well disciplined into amiability of disposition towards the coalition Cabinet, especially towards the present Prime Minister. May we not hope that they would not grudge poor India a share of this generosity ? If this course is impracticable in the opinion of the Secretary of State and the Cabinet, then it is for the Right Hon'ble Mr. Montagu to see whether the grave political situation affecting the vital interests of both India and the British Empire does not call for courage on his part and whether, following the precedents of several distinguished colonial Secretaries, he should not issue instructions to the Viceroy on his own responsibility in view to change the arbitrary and merely representative Government of India into full responsible Government. He would thereby earn the undying gratitude of the teeming millions of India and achieve a glory such as has scarcely fallen to the lot of any English statesman.

The very disquieting programme outlined in the preamble to the Government of India Act 1919 which is meant to raise in us a dim and distant vision of reaching a free Government for our political and economic existence involves no honest and recognised principle of civilised society and is altogether disloyal to our title deed in support of our claim for the immediate

establishment of responsible government. You will remember that the declaration of rights secured by the people of England as the fruit of their glorious revolution of 1688 rests upon the doctrine of an original compact between the people of Ergland and their king. And the one great charge against King James II was that he broke and violated this solemn compact between him and his subjects. This doctrine was based on no historic evidence but on the theory of a philosopher, namely Hooker, the author of "Ecclesiastical Polity".

Turn we now to the Hindu idea of polity. All ancient authority is agreed as to the origin and development of kingship in India. In the beginning all people were good and peace and harmony and industry among them were maintained by mutual good feeling of the people themselves without a political government. Gradually degeneracy and disorder arose and there was menace of anarchy in the society. Then the people assembled together and framed a code of laws for themselves—which corresponds to the English Declaration of Rights of 1688—and then proceeded to establish a government and elect a king and the first king so elected by the people was "Manu". He was to rule and protect the people according to law and he was to receive as consideration annually a portion of the grains produced and of the other income of the people. During the palmy days of an ancient India the Government of the country was fully equal and more than equal, in guaranteeing and securing the people's freedom and prosperity, to any modern state and a high degree of civilisation was the fruit of this polity; art and science were cultivated and flourished to a degree to which the Europeans have not done full justice. Hindus not only produced philosophy, religious and secular, which has been the admiration and even the consolation of the world, but also it was the Hindus who invented the system of decimal fractions, Algebra and the game of chess. The Hindu astronomer, Aryabhatta, discovered the solar system and the precession of equinoxes several centuries before Copernicus. The system of Civil administration was perfected to a degree, rarely reached in modern times. Theory of the original compact between king and people was ever kept alive so much so that when the state failed to discover

and restore property lost by robbery, the state had to make adequate compensation to the loser. Helpless subjects, *viz*, minors, idiots, aged, and women in pregnancy were all maintained and protected by the state. The duties and obligations of the king were maintained and enforced by several sanctions, the sanction of public opinion, of religion, and the right of revolution. It was part of ancient Hindu polity that a king who misgoverned could be deposed by the people and replaced by any of his childern and even by other relations and strangers. The reign of law in ancient India was supreme and the king was as much bound by it as any of his subjects. It must be remembered that the ancient Hindus King was not the maker of law. The Hindu Law was evolved from the Shastras and supplemented by customs and usages and the whole was interpreted by Judges. That the law was obeyed by the king was an accepted canon and test for appreciating a particular king's reign. Says the Tamil saint, Tiruvalluvar, "Behold the prince who wieldeth the sceptre in accordance with the law : seasonal rains and rich harvests have their home in his land." The position of ancient India may be summed up in the words of Professor Max Muller, "Take any of the burning questions of the day—popular education, higher education, parliamentary representation, codification of laws, finance, emigration, poor-law and whether you have anything to teach and to try, or anything to observe and to learn, India will supply you with a laboratory such as exists nowhere else." It is clear from all these facts that the ancient Hindu king owed his authority entirely to the people and that he forfeited his rights as king for misconduct. The idea of the sovereignty of the people and the fact that the highest power emanated from them cannot be more conclusively proved.

Then we come to the period of contact of this ancient Hindu civilisation with Arab civilisation brought into India by the Musalman invaders. The political theory of the ancient Arabs was that sovereignty belongs to God and that He delegated it to the people and that the Khalifa was his executive representative and he should administer the affairs of the people according to the law which was no more of his making them, the

ancient Hindu Law was and he was as much bound by the laws as any of his subjects. Says, Mr. Justice Abdur Rahim, the distinguished Judge of the Madras High Court, in his valuable work on Principles of Mohammedan Jurisprudence: "In the Mohammedan system sovereignty primarily belongs to God, but as He has delegated to the people powers of legislation and of absolute control over the administration, it must be held that next to God the sovereign power resides in the people. It would also appear that the Mohammedan law does not admit of the sovereign power being dissociated from the people however they might choose to exercise it." He elsewhere in the same treatise says : "The right to administer the laws as well as the affairs generally of the community, belongs to the community itself which may exercise the right through its chosen representatives " Prof. Dicey's elegant formula that the political sovereignty belongs to the people and that the government is its legal sovereign aptly applies to the Mohammedan concept thus stated by Sir Abdur Rahim.

Thus the ancient Hindu idea of polity and the Arab idea of polity were substantially identical, as regards the conception of political sovereignty as essentially residing in the people and the derivation of legal sovereignty from it, at all events. It is worth while to mention that the ancient Hindus paid the highest regard to the theory and practice of government. The science of polity was described in figurative language as the "nectar churned from the ocean" of all sciences put together. It is unnecessary for me to add that the modern Indians, whatever their present religious creed may be, are descendants of ancient Hindus in the main with a very small proportion among Musalmans who are not such, if we omit the extremely small and negligible communities of the Jews and Parsees, and this small proportion are the inheritors and professors of the Arab idea of polity. So, one is warranted in the statement that the modern Indian idea of polity is that the sovereignty belongs entirely to the people, and that all power to rule over them emanates from them by consent and compact.

This idea of an original compact between the people and

their king and their right to dismiss and replace him for misconduct of degeneracy is ever present to the mind of the modern Indian. England owes the origin of her political relations with India to this unique Indian character. It is authoritatively admitted that England has succeeded to the status and rights of the Hindu and Mohammedan sovereigns. If it has any meaning, the succession must mean to the rights as well as obligations of the best Hindu and the best Mohammedan kings and not those of the effete and wicked once whom the people of this country Hindu and Musalman replaced by inviting the English and co-operating with them in every way. The political entry of the English into India is parallel to the entry of King William III as sovereign of England. The foundations of English sovereignty in India may be truly said to have been laid in the middle of the eighteenth century with the success of Clive at Arcot. In the seige of Arcot he was beseiged by a numerous army including French soldiers while his own garrison consisted of 120 English soldiers and 200 Indian sepoys. He was hard pressed and provisions fell short and starvation started them all in the face. The sepoys displayed a remarkable trait of Indian selflessness and offered all the substantial food available to their English comrades, themselves subsisting on the water in which the food was cooked and strained. Complete success was the fruit of this devotion on the part of the Indians. One important result of this was that the brave Maharatta Chieftain Morary Rao of Gooty, with 6,000 brave soldiers of his at once threw in his lot with the English as he saw them helping themselves. He had been wooed by the French and the English. It is thus clear that the people and Chieftains of India desired to save their country, distracted by feuds between princes and by anarchy, by making England legal sovereign of India. Malleson in his History of the French in India says that the siege of Arcot "presents one of the most glorious pictures of Anglo-Indian history : it is the turning point in the eastern career of the English and the foundation stone of their present Empire." And subsequent history proves that throughout their career the English almost entirely relied upon Indian co-operation both as to money and men. Sir Alfred Lyall of the Indian bureaucracy and by no means one of the best advocates of Indian

national freedom, admits that from the first the people of India welcomed and assisted the English in their acquisition of India. It is thus conclusively clear that the political relation of England to India is one of voluntary compact between her and the people of India.

If behind the extraordinary claim involved in the preamble there really lurks, as several assert and many of us suspect, a feeling that is based on the right of conquest, we must distinctly and most emphatically repudiate the sinister doctrine of this English might versus Indian right and we are well warranted in so repudiating it by the conclusive historic proof to the contrary as stated above. Assuming for argument's sake that British India is a conquered dependency of the United Kingdom of Great Britain—and Ireland and let us not forget that India has never been formally annexed to England as a conquered country, yet we are entitled to deny the claim of mere might as against our right. The glorious French Revolution has established the divine principle that every people are one person and are entitled ever to provide for its own salvation. France then established for the benefit of mankind that there is no such thing as war and conquest except as a means for self-defence owing to lack of international sanction for enforcing international justice and that there is no such thing as a mere war of conquest and in the recent Great war it was the proclaimed maxim of England and her Allies that War was only justifiable in self-defence for punishing international misconduct and for the protection of the rights of self-determination of the people, in short, for making the whole world "fit and safe" for its people to live in. But if our claim of an original compact between us and the people of England is repudiated and ignored by the Parliament of England on the ground of right of conquest, may we in our turn ask the question on what ground the English claim of original compact on which the glorious Revolution of 1688 and the immortal Declaration of Rights are founded, rests ? Is not England a more conquered country than India ? With which King did the people of Britain enter into their original compact ? With Julius Caesar, the Roman ? With Egart the German ? With Knute, the Dane ? With William,

the Norman ? Or with Cromwell ? or with which other ? There is no historic proof of an original compact between the people of England and any of their Kings. Hooker started the theory and the great statesmen of the English Revolution of 1688 welcomed the idea and made it their basis of the Declaration of their Rights and the condition of English kingship. The English idea of an original compact between the king and his subjects is theory first and fact next, presumed from the theory. The Indian idea of such a compact is fact first and theory afterwards, inferred from the fact. Ours therefore is a more valid and sounder title-deed for responsible Government than that of the people of England. And the claim of the Parliament that they are the sole judges of our salvation here below is as empty as it is pompous and it is death to us as a free people with God-given rights or self-determination, if we allow this unnatural claim to exist.

Her part of the compact India has been throughout maintaining and performing in integrity and in absolute loyalty. We not only replaced the effect of princes of India by the English but we also fought our countrymen for the maintenance of the English sovereignty in India at the time of the great mutiny; subsequently when the world war broke out we enthusiastically joined with England and co-operated with them and with the Allies for saving the world's freedom. While England was not yet quite ready and before the Dominion troops could arrive at the scene of strife and before America and Italy thought of joining England and France, our troops, ill-fed and ill-drilled and ill-equipped as they are, went to France and mingling with her brave soldiers made the historic shambles of Flanders and died in erecting and maintaining there the trenches of the world's liberty to arrest the progress of the mightiest for which human liberty has yet had. We were further buoyed up in our enthusiasm and spirit of self-sacrifice by the new and expanded angle of bright English vision towards Indian rights and Indian aspirations when in consequence of Turkey's temerity and folly in throwing in her lot with Germany our Musalman brethren were subjected to a phenomenal strain, from the necessity caused by this unforeseen event to divide their allegiance and to

weigh their political allegiance against their religious, England gave them solemn pledges to preserve the Khalifat and abjured them to stand by their secular sovereign, India was determined to stand by England and she did her very best to enable England and her Allies to win this greatest war on earth. Armistice was reached and peace was within sight. But alas ! the misfortune and misery of British India began almost simultaneously and tragedy after tragedy overtook here. And here we are in a position without a parallel in the history of civilised mankind.

It would require the genius, the poetic imagination and the feelings of noble indignation of a Burke to draw a true picture of our plight now. But we must make an honest endeavour to analyse and interpret the state of universal distress of the country, of masses and classes, in terms of the real cause, as far as we can. Speaking negatively I venture to think that this unique situation is little due to high prices and is by no means connected with the vague awakening of the new consciousness of people's rights in consequence of the great world war. Positively we might think of some five or six well-defined and well marked events that may be rightly deemed to be the constituent factors of our present situation.

(a) While, by reason of the proclaimed principles and aims of England and the Allies for carrying on this great war and by virtue of the authoritative pledges to us, we were fondly looking forward to the dawn of a new and bright era for us, the nation was taken aback when the Rowlatt Commission was suddenly appointed under the auspices of the Indian bureaucracy and came out with astounding recommendations to subject the people, the more and more repressive administrative processes, the fruit of which was the immediate and the hasty passing of the draconian Rowlatt Law, the Government flouting the best opinion of our best men and the unanimous feeling of the country against those recommendations and against the legislative measure based on them.

(b) Out of this situation, entirely and wantonly created by the bureaucracy a new situation was adroitly manufactured

with the result that the great Punjab Tragedy was enacted and a dark page, the darkest in the world's annals as yet known, was added to the history of India. I need not summarise the events that make up these frightful transactions: I shall here content myself by referring you to three classic documents on the subject, the minority report of the Hunter Commission, the report of the sub-committee appointed by the Congress and the address of the President of the Special Congress at Calcutta.

(c) The agony of the Punjab and the sympathetic grief of the whole country were both increased by the manner in which this dark episode in the British administration of India was, from start to finish, handled and dealt with by the Government of India and by His Majesty's Coalition Government and the Parliament especially the House of Lords. The one astounding fact that stands out in bold relief as underlying all these transactions here and in England is an unnatural feeling of contempt of the people of this country amounting to little short of a feeling on the part of the authorities that we, the people of India hardly belong to humanity, the existence of which feeling was pompously exhibited, as in regard to the claim of sacredness of the person of the Englishman.

(d) Then came the huge Khilafat fraud. The pledges solemnly made to our Musalman fellow subjects of His Gracious Majesty were edited and quibbled away in the light of success and ancient prejudices of colour and creed and the Sultan of Turkey has been made a mere shadow of what he was, in power, prerogative, and territory and even as to the means of self-defence. Apart from the pledges, so wantonly broken, it is but easy to see that the terms of peace, which the Sultan was compelled to accept, were more severe and crushing and humiliating than those offered to any other people in Europe defeated in the Great War. I desire to call your attention to the adroit attempt made in view to prejudicially affect the state of growing union and the feelings of cordiality between the Musalmans and the non-Musalmans of India that the latter have no interest in this question. I must ask you not to allow yourselves to be deluded into a belief that there is any substance in

such a statement. We, Indians, are so situated that we all must in every way work in harmony and stand together or fall together. Hence it is but natural that Hindus sympathise with their Musalman brethren and sisters in their genuine and intense grief in this connection and, besides, the cause of the national union is sacred is per se. But there is an additional aspect to which I must call your attention. The reasons expressed and inplied. for the terms of Peace offered to Turkey, the character of the agitation that led to the adoption of those severe terms as well as the nature of the terms themselves, all conspire to disclose the ancient and the ineradicably disquieting doctrine of Europe versus Asia and we, non-Muslim, Indians, have an equally vital interest with our Muslim fellow subjects in repudiating and fighting this doctrine. Turkey is only good for Asia and Asia is good enough for Turkey. The treaty provides by foreign interference for the protection of European minorities in Turkish territories against tyranny but leaves the Turks themselves severely alone in this connection. If this doctrine is sound, may we ask the pertinent question why Europe and England in particular do not leave Asia and Africa severely alone ?

(e) Then there is the treatment accorded to Indians abroad in the British Colonies. There position is growing more and more intolerable every day as events in Fiji and East Africa conclusively show and more and more degrading as the evidence collected by the Revd. Mr. Andrews with the combined spirit of humanity of Howard and Cowper amply proves. For my part it is difficult to imagine that it is at all possible for us Indians to protect and self-guard the interest of our countrymen abroad while we ourselves are semi-slaves of the British Empire. Every interest of ours requires that our countrymen in the British Colonies should be brought back to India as early as possible in as large numbers as possible for their own sake and in view to co operate with their countrymen in the making of the Indian nation. While England is unwilling or unable to accord and guarantee protection of the Indians within British Colonies, at least to the extent to which it protects the French and the Dutch in them, our substantial grievance and discontent are bonnd to remain unabated. And any plan which we, as Congress,

should think of devising in view to our political and economic amelioration should include the problem of our countrymen abrad especially in the British Colonies.

(f) Lastly, the situation is extremely complicated and our national helplessness is rendered the more disquieting and depressing in consequence of the new Reform Act and the rules and regulations thereunder. I have already alluded to the startling claim made by the Parliament that not only now but at every stage of our national life, it (the Parliament) is to be the sole judge of our fitness for reaching responsible government. You will in vain search throughout colonial history of Britain for a precedent. The claim made to tax the United States of America was far less serious and fraught with far less danger to those colonies than this claim advanced as against us. It is but natural that the country is deeply concerned by this novel announcement. Coming to the provisions of the enactment, we are in possession of the considered view of the entire country on the subject. From the first the Congress repudiated the soundness of the principles underlying the whole scheme, affirmed the total inadequacy and even dangerous nature of the provisions and maintained that the country is quite fit for immediate responsible government. The whole scheme is without the guarantee of historic experience and precedent and the reason persistently assigned for adopting so unparalleled a course is preposterous. It was said and it is still being said that no other scheme could be thought of. But, why make a distinction between India and any other British "dominion beyond the seas?" It must be remembered that not only the five great Dominions (Canada, Australia, New Zealand, South Africa and Newfoundland) were allowed responsible government, but also several other much smaller colonies, such as Jamaica, were all easily granted this blessing. We are naively told this is a temporary structure on which to build the future grand edifice of responsible government, but what honest reasons can be assigned for adopting so strange and unprecedented a plan ? The central Government of India is to continue autocratic and despotic and the subordinate governments alone are to have this experiment. Not only the provinces are to be converted into quasi-states to begin with,

but each state is to be dual in sovereignty and the better and the stronger part in financial power and prestige is to belong to the bureaucracy. It is admitted that the whole scheme is in reality federalism though without the name. This is a new and perilous Utopia. History has not furnished any example by way of a successful model for so strange a course. Federalism has ever been an attempt on the part of separate sovereign nations and states whether Colonial or Independent, to unite together by compact and construct a central government for the benefit of all of them by surrendering a portion of their respective sovereign powers. And the progress has always been, in healthy federations, towards the augmentation of the powers and functions of the central government in view to increasing efficiency and prosperity of the whole group. A most remarkable example is that of the Federal Colonies of South Africa who gave up their sovereign powers of their own accord in view that the Central Federal Government might become a unitary Government in the general interests of all and the previous sovereign-states became subordinate provinces giving up their legislative organs retaining power only to draft special ordinances for each particular province to be enacted into law by the one legislature of the country. But for India the process proposed and adopted is a contrary course, God alone knows why. India has ever been a unitary country and when it consisted of several states there was no federation or attempt at federation at all. The India of Asoka and or Akbar were great unitary countries and their reigns were the brightest and the people were the freest in the history of India.

Let us next examine the hope held out to us that out of this strange scheme our future responsible government is to be evolved. Here, reason and history are altogether against this course. In Federal countries, the legislature is necessarily bicameral, one chamber representing the people of the whole federal government and the other chamber representing the separate and individual interests of the constituent sovereign states. If the executive government is to be responsible to the legislature in view to both the sets of interests, it must command the confidence of the majority in each chamber at one and the same time. But

this is hardly possible in practice and if the two chambers do not concur, it would be impossible to make the executive government responsible at all.

On the other hand it will be obviously unjust to make the executive government depend for its existence and power on the confidence of the majority in one chamber only. For, it would be then abandoning the interests represented by the other chamber. Hence, it is that no true federal government is a responsible government like that of England or France. It is responsible, not to the legislature, but to the people as I have, already, remarked, the responsibility to be enforced by forfeiture of confidence at every new election and by separate impeachment of responsible members constituting the government when guilty of grave crimes. Except in this extremely feeble way there is no day of reconning for the Federal Executive. The difficulty and inadequacy of the remedy by impeachment was long ago pointed out in the Grand Remonstrance of 1641. President Wilson says that the surrender of people's rights to Government is greater and their control of it is less in a Federal than in a Responsible Government. In Switzerland, being a very small country, this great federal infirmity is obviated by a provision of a referendum to the people, which course is impossible in so large a country as British India. The one country that is trying the double experiment of both federalism and responsible government is Australia. But the system is yet on its trial and two great authorities Mr. Bernard Wise and Prof. Marriott say that either its federalism would kill its responsibility or its responsibility would kill its federalism. Considering the tendency of unitary form, it is most likely that Australian responsibility would kill Australian federalism. If this be the peril in a truly federal system, we must tremble when we are told we can reach a responsible government out of the federal system.

This system has been thought of and constructed on purpose to conciliate the ancient bureaucracy, most unwilling to abate a jolt of their power and prestige, actual and imaginary. The whole involves a double peril, perpetual friction between the bureaucracy and the peoples' representative and inter-provincial

jealousy and strife to be designedly ripened into international jealousy and strife. Already a bitter inter-provincial strife has begun on account of the highly artificial and inequitable financial arrangements affecting the several constituent provinces. Under the name of "Reforms", perilous and provisions have been thus introduced effectually to divide the country into separate peoples to be ever animated by bitter jealousy.

This being the grave political situation, the country and the Congress are agreed that the one remedy for its prompt liquidation is the immediate establishment of responsible government for British India leaving it to its people and their representative to revise and readjust the provincial system of government on sound lines tending to domestic harmony and progress. The divine principle that should characterise the entire fiscal system of the coming responsible government is obviously the principle of equal sacrifice by all the inhabitants of the whole country in proportion to the income of each and subject to uniform exemption for minimum subsistence on the principle of the assessment of the income-tax.

The one question everywhere asked is, what is the sanction behind and backing up our demand? What is the weapon, peaceful weapon, short of rebellion, that can compel England to let us have this form of government which has been only promised to us as a dim and delusive goal to be reached by wading through unparalleled and perilous labyrinths of systems of provincial autonomy and enforced unnatural federalism? This is a most embarrassing question and I confess that I have ever felt most nervous and most diffident as often as I thought of a satisfactory reply to what appears to be the most knotty political conundrum. Yet, we must find an honest solution of the problem and on that solution hangs the fate of our salvation for ever. We must proceed to the work therefore most religiously, and most cautiously and yet with courage. I venture to submit that it would be safest to rely upon history and upon the practical experience and political wisdom which happily the history of free countries supplies to us, if we would only seek that assistance of history earnestly and in humility. To the past and to

patterns and systems tested by experience to be sound or otherwise we must look for light and guidance and to nothing else if we would walk on firm and safe ground. In answer to this one vital question, the Special Congress at Calcutta recommended by a majority a programme of non-co-operation. It will be observed that, apart from the programme, the scope and the nature of the principle itself and the necessity for adopting it was not separately discussed and debated. As to the great necessity for the adoption by us of some such weapon as that of organised non-cooperation with the rulers in view to reach our full freedom immediately, there can be no two honest opinions. We have been petitioning and praying and agitating these thirty-five years and over for a real and substantial voice in the government of our own country, but in vain. On the other hand, the authorities here and at home have driven us to the climax of facing the consequences of our national helplessness to protect ourselves and our countrymen in the British Colonies in the possession and enjoyment of elementary rights of person and property. Nay more.

While we are in grief, in universal grief, as if, the whole country is one house of death, injuries and insults continue to be added and heaped upon us. Look at the compensations awarded in connection with the Punjab disturbances Whether you consider the principle or the measure of the money compensation awarded to European sufferers as distinguished from that awarded to Indians, there is but one conclusion possible, that our rights are flouted and we are treated as sub-human beings. Look at the Esher Commission and look at the appointment of Sir O'Dwyer on it in mockery of our grief and of our opinion of him. Look at the memorial for General Dyer and the necessity for a government order to restrain the bureaucracy from subscribing to it. Look at the proceedings of the European Association at Calcutta justifying the massacres by General Dyer even at this late hour, after eminent counsel in England had declared the massacres to be wilful murder. No, the age of pious annual budgets of resolutions by us is gone for ever. We are bound, if we won't perish as a people, we are bound to think of and adopt a method to force England to let us get into

ment thereof. It is not in support of might versus right.

We are entitled and bound to adopt such a principle without favour and without fear of consequences and guided solely by a consideration of it as a means to the end of our self-preservation as a people. To that subject we shall now turn.

With that single aim, namely, national self-preservation and national liberty and attainment of immediate responsible government as the only means to achieve that end, we shall proceed to examine how far the programme of non-cooperation adopted by the Special Congress at Calcutta is suitable. As we all know, it consists of several items and a few more items are also intended to be added to them. I do not think it is necessary or that it would serve a very material purpose to traverse all of them at length. The item relating to the abandonment of titles may be left alone, response or no response to this demand meaning very little in promoting or affecting the cause we all have at heart. It strikes me that, to the demand that the honorary offices should be abandoned, an exception might be made in favour of judicial offices as, on the whole, greater independence and justice is and can be had from non-official Magistrates and Judges than from official stipendiary ones and that too in a system where there is no separation of the judicial from the Executive. We may also dispose in a few words of the item relating to the Reformed Councils. The issue as to this is no longer a live issue and may be treated as tried and disposed of. And it is of very little interest for the next few years. If it must be admitted that considerable success has attended this part of the programme of non-cooperation, even those who are altogether against the movement of non-cooperation can well afford not to regret this success.

The evils of the whole Reform scheme I have already pointed out. We may challenge the authorities here and in England to import the best practical statesmen from England in order to work this system for us as the peoples' ministers with the unenviable and disquieting portion of powers and privileges vouchsafed for them under the new regime. We shall ask them thus to

teach us an object lesson and demonstration for training ourselves later on for running such a system and thence made our way to the goal of responsible government. In fine, I venture to say that we cannot admit the experiment to be a thoroughly honest and dishonested one. If several nationalists once thought it best to seek election into the Reformed Councils, it was for the double reason that the Amritsar Congress and our friends in the Parliament, the Labour Members, recommended that we should enter it if only to constitute a well-organised opposition and to expose its infirmities from within rather than from without. But, on the whole, country has come to the conclusion that the whole system is bound to be an utter failure both financially and as a temporary platform by getting on which we are to reach responsible government by no means clearly looming in the horizon. On the whole, the nationalists were well advised therefore, in finally declining to seek and occupy a position where it might be said at the end that we were responsible for the future, and not the fatal inherent infirmities of the novel system.

The most important item in the programme relates to the withdrawal of students from Government and aided schools. You have had the experience of the movement in this particular for the past few months. It is for you now to determine and to declare whether this part of the programme should be affirmed and carried out. Let us not, for a moment, forget the one object of the whole movement with which it has been initiated. It is to force the hands of Government to grant our very legitimate request, namely to establish responsible Government and to redress our Khilafat grievance. It is possible that emptying Government and aided institutions would anywise paralyse the Government here and in England in its administration and compel it to grant our object ? If Government are relieved from maintaining schools and colleges, would not the money be available for other purposes—over eight crores of rupees annually ? And is this a national advantage ? In order to replace them by our own national institutions should we not have funds which will give us a similar annual income for which a capital of about 200 crores would be necessary ? And there is the very large amount

needed for buying lands, constructing buildings, and laboratories and educational museums and furnishing them. Is it possible for the country to supply that money in the near future ? All this is needed to reach the superior benefit expected from purely national institutions. Equipment and teaching staff being equal in extent and quality, there can be no doubt that purely national institutions without any control from the bureaucratic Government would be distinct advantage both individually and nationally. It is for you to say whether this object to be, reached by an amount of money which we cannot dream of realising in the near future, is anywise related to the initial and only immediate object of the movement, namely, redress of our grievances in less than a year. Lot of collateral and consequential matters have also to be considered by us in the working of the programme. It has hitherto been an accepted maxim of our political life that the students should be left in calm atmosphere to pursue their career and that it is injurious to them and to the rising generation to draw them into the highly excitable vortex of practical politics which is fast changing in our country as well, into party politics. Can the propaganda be carried on without violating this cardinal and very healthy maxim ? We seek *Swaraj.* The bedrock of a healthy nation is the sound family. Will not this propaganda separate students from parents and grand-parents and from elder brothers and sisters oftener than not ? How long is this process to continue if England persists, however perversely in declining to allow us to errect our own responsible government at once ? Will not, at the end of this period—none of us can say how long it will be—the country beso much the poorer and sufferer in every way for our student population being suddenly debarred from pursuing their further career : It would be a totally different thing if students are asked to give up Government and aided institutions whenever and wherever national educational institutions have been fully established and are ready to receive them and educate them.

But there is another and a most serious aspect of the problem of national reconstruction, awaiting your consideration. Is it or is not necessary as the very first step in the process that free and universal primary education for the masses should be at

once provided for and started by the people of this country? Of course we are all agreed that the country stands in need of every kind and degree of education—elementary, secondary and collegiate and professional, scientific and technical, all simultaneously. But having regard to the resources of poverty sticken Indians, is it prudent and just to the masses of the people that we should, at this grave crisis, think of replacing University, Collegiate and Secondary Institutions merely because they are in the hands of Government and more or less controlled by Government, by independence national institutions and continue to strive the masses? We must not forget that in our country about 94 per cent of the population are absolutely illiterate while only less than 4 per cent receive any kind of instruction in schools and colleges. We have to provide at least primary instruction for this large percentage from 94 to 96 per cent of the entire nation. The education of our masses is behind most civilised countries. Taking the test of the percentage of the pupils receiving primary education to the whole population, the proportion in our country is about one-tenth of the same in the United States, one-eighth of it in England and Germany and one-seventh of it in France and Japan while in secondary education India ranks higher than France and Japan. And what would be the cost of providing for the education of our masses? The Government cost of primary education is about Rs. 11 annually for each pupil but here, let us note, Government receives some school fees. Our institutions are to be entirely free. In addition we require hostels and scholarships if not provision for lodging and boarding in each institutions for the instruction of the extremely poor.

Besides, the teaching staff in the primary schools are now every ill-paid and the lower ones earn less than our unskilled labourers. In our national institutions this highly demoralising feature should be removed. We must take the cost to be much higher, therefore than the present Government cost of Rs. 11, say Rs. 15 per public annually. Having regard to the short average life of Indians, let us take the approximate number of both boys and girls fit to receive primary instructions to be about 70 millions, less than a fourth of the whole population as the rule

that people from 15 to 50 years of age constitute half the population of a country applies to India as well. The annual cost of providing free education for this population would be approximately 105 crores. Let us add to this thė cost of providing school buildings, play grounds, hostels, and equipping them all and the cost will be enormous. And we must take to finding all this money as rapidly as we can. But let us have some idea of our national resources. The mean annual income of the people of India is between Rs. 20 and Rs. 30 say roughly Rs. 25 per head whereas mean annual income of the inhabitants of England is at least twenty times that. The exact figure would depend upon the exchange of course. We must gather our money from our own people. Let us not forget that an enormous proportion of our population are ill-fed, ill-clad, and ill-sheltered. It is not human to call upon these people to subject themselves to any the least self-sacrifice in money. We must find our money from the strata above these.

But our middle classes are not equal to the wage earners of England and America on an average. Only our richest people may be said to be equal to the middle classes of those countries. From these two classes, namely, from the upper and the middle classes, is it possible for us, whatever may be their high ideals of self-sacrifice, to get the required amount now ? Clearly it would be impossible. We cannot hope to get much, having regard to the low degree of our national savings apart from the income for many a long year to come. The degree of our resources in this respect depends upon the aggregate annual savings of British India. Exact figures cannot be obtained. But we can have some idea if we have regard to the fact that the estimated average wealth for India per head is about one of twenty-fourth of the same for the United Kingdom and one-fourth of Japan. Besides, there are vast numbers of rich foreigners in India whose savings should be deducted. The figure for the Indians would be found extremely low when compared with figures for the free countries of the world. But we must make a beginning and we must begin at once : and here the choice of two problems, namely, whether we ought to begin starting National High Schools and Colleges and Universities, to replaee the existing ones and to

continue to neglect the education of the masses and the poor, or whether we ought to use every available rupee for starting free primary education for the masses, presents itself. Justice to the masses and every national interest determines the choices easily. We must begin national primary education immediately. From this one standpoint alone it is for you to say whether this item of the programme should not be given up, at least, should not be suspended till a more favourable económic opportunity presents itself

I might add here that one essential condition of the success of domocratic responsible Government as distinguished from aristocratic is an intelligent and vigilant universal public opinion and this is only possible in the highest perfection in a country of universal education. Besides, a true democracy implies universal suffrage where only less than 6 per cent of the population receive any kind of instruction is futile and may be even at times dangerous.

Our next step is to secure the country's economic prosperity in the light of advancing modern science as fast as we can and this is only possible if we not only start scientific and technical instruction in our country on a wide basis but also send out capable students to the world abroad to receive specialised scientific and technical training in the earlier stages of our progress at least, and also to import experts for assisting us in starting model industrial institutions and demonstrations. It is for you, therefore, to take up this problem in all seriousness and judiciously arrive at a conclusion whether or not all the available money should be devoted by us to these objects—primary and technical education and provision of scholarships for technical and scientific education abroad and for technical demonstrations and opening model industries in our own country.

Then there is the item relating to the withdrawal of pleaders from the established courts of law. Here also to start with, we must put the test question to ourselves how such a withdrawal of our countrymen would in the least paralyse the Government and accelerate the attainment of our object. The legal profes-

sion has not been a great favourite with the bureacracy. Now and then vague ideas were entertained by several of them of diminishing and regulating the numbers of the bar. Is it at all responsible and practicable that thousands and thousands of young men, educated and equipped to become members of the bar at an enormous sacrifice in all poor and middle class families, should be suddenly asked to cut short their career and only career for which they are fit ? The sudden withdrawal of the pleaders wholesale, especially the younger ones, if practicable and actually affected would plunge their parents and families into immense misery. Are we satisfied, that this course is necessary for securing freedom, our national freedom ? Does history furnish us with any similar example ? On the other hand, does it not furnish lessons to the contrary ? The great English Constitution owes its origin and development as well to the line of great English judges as to her statesmen and warriors.

There is a close relation between the science and practice of politics and the science and practice of law. In fact, both may be described as one science, the science of distinguishing right from wrong. Says Burke : "He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences : a science which does more to quicken and invigorate the understanding than all the other kinds of learning put together." And therefore it is we find that throughout the world the two classes, politicians and lawyers, are often identical. The great French Revolution, the dawn of modern political liberty, owed its success no less to the lawyers than to her statesmen and soldiers. The former two were mostly identical. The majority of the great Constituent Assembly of the glorious French Revolution were lawyers. This fact had a ludicrous effect on Burke, the great Liberal Statesman as he was, but who suddenly became a reactionary at the time and in consequence of the French Revolution.

As he was well known to be an admirer of the legal profession, when in reply to his most uncharitable attack on the doings of the Constituent Assembly he was told it was all the

doing of the lawyers, he was stunned but he at once recovered his presence of mind and found consolation in his imagination that they all must be very inferior lawyers. Do you consider that this item in the programme is in grateful memory of the Constituent Assembly of immortal glory ?

This demand for the withdrawal of lawyers is further based on the ground that the movement would thereby facilitate the establishment of arbitration courts. Here again it is for you to discuss and determine whether it is possible and desirable at the same time that the regular courts established by law should be abolished and replaced entirely by arbitration courts. Private arbitration is of immense value in a society. The more petty offences and plain cases of civil dispute between individuals and individuals are disposed of by private arbitration and reconciliation, the bettr it would be for the individuals concerned and for the society as well. But private citizens, however enlightened and experienced, would not be able to handle and investigate complex cases of law involving consideration of highly delicate questions of right and wrong, arising from contract, express and implied, and from injuries voluntary, accidental and rash. Often too grave questions both as to the interpretation and validity of law, domestic and foreign and international arise for decision. The handling of such questions requires skilled and technical experience arising from a special and painful study of the law and jurisprudence and from experience at the bar presided over by skilled and learned judges. What is needed for obtaining true justice is a combination of both the sets of tribunals, that is judge and jury.

If we abolish courts and if we abolish the profession of law, and nothing less the item means to be effectual, there would be a great social want which there would be no means of supplying. The result will be immediate increase of offences and criminal cases and gradual decay of national instinct for freedom. Those who have experience of courts and of the lower strata of society know tnat the masses are on the one hand unable to analyse their grievances into bases for civil actions and civil remedies and on the other, little accustomed to restrain their

passions and feelings of revenge and are in consequence most apt to take the law into their own hands and commit offences, in supposed redress of their grievances but more really in revenge. Let us remember that, as civilisation advances, injuries would be multi-plied by design, accident, and oversight and great skill and ingenuity are needed to investigate their true nature and to find suitable remedies for the injured in respect of the novel injuries. Let us not forget that freedom means the rule of law. But it is inconceivable that the "reign" and majesty" of law can be secured and maintained without courts of law and without the profession of the law.

Taking these two items together I venture to think that I shall be justified in asking you to consider whether any appreciable success of the movement which I humbly deny can ever be reached does not mean an unintentional and even unconscious proposal to rebarbarise the people of India, by no means a very auspicious preparation to establish and maintain the democratic form of responsible government which we all have so dear at heart.

You would all naturally ask me what then should be our programme if this programme is not adopted by us any longer. I will make an honest endeavour to give you an answer. In one word it is nation-building. We must take to nation-building at once, on a scale and in a manner to make up for lost time and fully equal to meet the situation as well caused by our own torpidity and hibernation of energies for centuries as by the bad faith and misconduct by our rulers. We are bent and rightly so on having immediate responsible government for our state. But let us not forget that the state is not quite the nation and the nation is not quite the state. The state is an instrument for the purpose of the development and welfare of the nation. At the same time the healthy growth of both depends upon their interaction.

If, therefore, we would have the best form of government and adapt it and develop it so as to suit the genius of the people of this country, we should renovate the people in as great a per-

fection as it possible for us do without the true state to begin with. Great progress has been made since the Congress was started in the way of the unification of the people and the mobilisation and augmentation of the national comaraderie of spirit. Thank God the cumulative effect of all the misfortunes that have recently overtaken the entire country has done more to unite us than centuri s of universal national education and mission work for the purpose could have effected and this involuntary process of national unification is greatly expanded and intensified under the auspices of Mahatma Gandhi and the stalwart patriots who are cooperating with him : our everlasting gratitude and that of our children urborn is due to him and to them for this great and glorious service to our motherland. But yet we are not fully as great and vital a nation as we may well be and processes of further renovation must be immediately thought of by us and adopted and put into effect. The first and foremost is the education of the masses in as large and fast expanding a scale as we can endeavour to achieve. The Congrsss must at once appoint one special committee with power to appoint sub-committees charged with this important business and nothing else.

They must collect funds and appoint active missionaries for starting vernacular schools by day and by night for the benefit of labourers for holding lectures, demonstrations and so forth. Then we must deal with problems of our men abroad, especially in the British Colonies. We must attend to the question of their immediate repatriation. This country needs, the activities, both mental and bodily, of all children for the development of our resources to the highest degree in the light of modern science. Then there is the question of labour organisation and missions for the elevation of the depressed classes. The country has been hitherto altogether neglecting the vital problem of the amelioration of sections of our countrymen and countrywomen designated as "Criminal tribes" and "Criminal classes." These are all subject to harassing and humiliating special laws. Congress must appoint committees for the purpose of starting and cooperating in movements in connection with all these problems. I think the social reformers will take care of themselves but the

Congress must extend their right hand of sympathy and good fellowship towards them. All these activities should be on a thoroughly organised basis and on a progressive efficient scale.

I also desire that the scheme for the entire renovation of India includes a negative aspect to which I would call your attention specially. With the people of India thus renovated, if not reborn, into a nation, well knit and vital, we have the means of converting not simply the personnel of the bureaucratic government but what is still more important the non-official English exploiters of our country as well into a new angle of vision. With this scheme, we can starve the English planters, the English merchants, traders and manufacturers in our country with increasing scarcity of labour into gradual exhaustion and into a satisfactory mentality towards us. And this will also give us power in reserve to produce national strikes of inferior and unskilled workmen in Railways, Posts and Telegraph departments and so forth. Let us remember that the great bible of the Englishmen is the financial code. Financial statistics which show loss of income and which threaten progressive loss of income have far greater effect on the mental outlook and on the moral calibre of the average Englishman than any other weapon we can conceive of. I desire that we internationally and with set purpose make provision for gradually and rapidly affecting the income of the English exploiter in India and even of England in so far as India is her market and supplier of raw produce, in all legitimate ways, immediately by organising labour, especially unskilled labour, far the economic advancement of India at an accelerated speed and calculated at the same time to starve the foreign exploiter as stated above.

The Congress must appoint a select committee of experts with power to form branch committees throughout the country for making suitable arrangements for the gradual boycott of foreign goods and for stoppage of exportation of raw produce. I consider this is the most effective method of converting Englishmen into our friends at least into a sense of justice for us. Let us not forget that the English exploiters, non official much more than official, form a sort of moral Ulster in India without

a geographical unit. Our first duty therefore is to recognise this fact. We have been too long negligent of this phenomenon in so far that the ways and means which we are bound to devise and adopt for the purpose of rescuing ourselves from this galling and perilous plight are not only suitable and adequate but are also such as we can be ever proud of and as would appeal to the general conscience and general conviction of the tribunal of the civillsed world. England can no longer remain an isolated power.

If we desire to accuse her at the bar of the world's tribunal as we do desire in view to our redress and salvation we ought to enter our protest of complaint and demand of justice with "clean hands and clean minds," in the words of Mahatma Gandhi. I would ask you seriously to approach the problem from this standpoint.

Taking the question of the adequacy of our ways and means first I would impress upon you to consider the prime necessity that we are united, not only in making our demand but also in formulating the specific terms of the demand and in our adoption and pursuit of our methods in view to see the demand is granted. I am satisfied and I believe you are all satisfied that the country is now unanimous in its demand for the immediate establishment of responsible Government. But unless we are also united and unanimous in our programme to attain it, it is my duty to my God and to my country to say that our chance would fly away, and the vision of our salvation would only move like *ignis fatuus* light approaching and receding and ever deceiving. And we shall be deeply chargeable with rash judgment and criminal neglect of the God-given moment for our salvation, alike at the forum of the great world and of our posterity. United we stand and are saved, divided we fall and perish.

I have called your attention to the features and aspects of the several items of the programme of non-cooperation adopted by the Special Congress at Calcutta. I desire permission to allude to one or two of its important features of a general kind. Whatever the form of a democratic Government, its success as

capable of producing the highest freedom and greatest happiness of the people depends upon the fact whether it is a Government by discussion or by dictation. Great political writers, Bagehot for example, lay stress on this feature and maintained that no Government, whatever its constitution and however precise and noble its declaration of the fundamental rights of course was at the early life of the Congress, I venture to think that the time has now arrived for us to definitely declare ourselves the ally of one party pure of composite and that we should co-operate with that party in their endeavours to increase their power.

You will thus see that the "sanction" behind our demand or the weapon with which we have to carry on our struggle successfully to reach the establishment of responsible Government is three-fold—the reconstruction of the Indian nation on principles sanctioned by the law of God and of utility tested and approved by the wisdom of man in all free countries, ancient and modern, the reorganisation of our economic industry of the country with the negative provision of starving foreign and English exploitation of our country and also affecting the commercial interests of England in so far as it may be possible for India to do, and lastly by entering into a cordial alliance with the Labour Party in England. I venture to claim that the programme I have sketched out for your consideration and adoption is at once both end and means and rests on the one hand on durable and progressive principle and is, on the other, charged with no disquieting elements calculated to divide the people of this country into hostile sections and camps with mutual hatred and jealousy and free too from all tendencies to dangerous reaction and to peril to those engaged in the propaganda work of the movement.

Let us next endeavour to take a bird's-eye view of the whole situation. Let us consider it in its two general aspects that I can conceive of no third aspect that is as fashioned by our bureaucracy and as is now being made by ourselves.

Despite pledges and professions to the contrary, the British

administration of India has been from the beginnig on principles of aggressive non-cooperation of the dominant white people with the coloured people of India ever on discriminatory laws and discriminatory administrative measures supplemented from time to time by the application of very repressive laws unknown to free and civilised countries. The position has become simply intolerable. The last straw has been added to the burden by the Esher Commission Report and we can bear it no longer. At this hour of our supreme crisis it is the sacred and sworn duty of every one of us to raise the level of his vision spite of warnings from the days of Lord Ripon. The weakness of the English exploiter not to speak of the whole nation, is money, finance if you like. We must attack him there if we desire to attack him with any success at all. A witty Frenchman once said that the Englishman would rather forgive parricide than the theft of a penny. Let us remember that once upon a time England punished murder with fine while it hanged people for robbery and forgery, Parnell hit the right nail when he, with grim humour, said that in a composite British army of Englishmen, Schotchmen, and Irishmen, the Irish broke the line of the enemy, then came the Scots and took the prisoners, last came the English and picked up the booty. A far greater and more serious authority is also available on the point. Burke says that the English idea of liberty is not abstract but inherent in some sensible object and that almost every nation has some favourite point which is the criterion of their liberty and that the Engiish sensible object with which their idea of freedom is indissolubly connected is money.

I venture to submit to you for your consideration that the scheme which is at once capable of reconstructing and advancing the economic state of the country and paralysing the production, the manufacture, and the sale of goods of Englishmen here and in England and the Colonies is the best weapon we can think of and absolutely free from any disquieting principle calculated to do us the least harm and no Viceroy would have the courage to describe it as unconstitutional. You will observe that the scheme I place before you relates to the gradual boycott of all foreign goods and not merely British

goods, and this for two reasons. In our plan we should make an honest endeavour to exclude the play of any feelings of vendetta. On the other hand, the more exclusion of British goods would only swell the import of other foreign goods and therefore would check the promotion of our economic prosperity as effectually as now.

I have also another proposal to submit to you. It has long been the accepted unwritten creed of the Indian National Congress that, in our endeavours to extract from England and full and loyal performance of their duties to India, we should not ally ourselves with any political party in England but should be neutral and apply to all alike. Whatever, the wisdom of this, it can contribute to the freedom of the people unless it is a Government by discussion. There are two principles necessarily implied in carrying out the programme and propaganda work we are now considering without regimentation and without a very severe discipline of all those who are actively party to it, the propaganda work cannot be carried on and this, regimentation out and out necessarily implies as absolute and universal surrender of private judgment and a gradual emasculation of the capacity for it. And national regimentation and national lack and atrophy of power of private judgment, history, ancient and modern, proves to be inconsistent with national freedom and national happiness and progress; if, indeed, they are not inconsistent with continued national existence. Sparta and even Athens and Germany and several Latin and Latinised states of the old and new world are examples and warnings to us in this vital respect.

We all know that ancient Athens was not only free from national regimentation, unlike Sparta but also its citizens possessed and enjoyed the right of private judgment in the highest degree so much so that even an egg-seller on his way home from the market could take part in the discussion of the affairs of the republic. And we all know the dizzy height of freedom and glory which she attained and which has not been since reached by any modern state. But Athens fell too. It is a remarkable fact that her decline and fall dates from the most

glorious point in her history, namely, the period of Pericles. His brilliant genius and great character was the commencement of the ruin of the state. People adored him and trusted him and declined to judge for themselves and the decay of the faculty of private judgment of individuals began and with it began the national decline and fall. A great historian observes that if Pericles had been less great and less trusted by the people of the republic, Athens had not fallen. And in a short period the general demoralisation of the people of Athens was so great that the great orator, Demosthenes, who endeavoured, with his divine eloquence, to rally the Athenians to resist Philip of Macedon and to save the republic from conquest and subjection was compelled to warn the Athenians that they should take care that after driving away Philip they did not manufacture a new Philip to take his place. We would do well to take this lesson to heart. We must take care not to manufacture, by our ways and means, a new bureaucracy and tyranny in the place of our chronic bureaucracy and old tyranny. The melancholy fall of Germany is also full of lessons and warnings for us. Next to Athens she was the freest people of Europe and England is but transplanted and insular Germany. Germany was justly called the fatherland of modern thought but from the time of Bismarck national regimentation in view to reach the greatest predominance in the world, accompanied by the necessary compelling process of securing a surrender and emasculation of private judgment began. With the development and success of this twin process the ancient German instinct for personal freedom decayed and became at the time of the great war almost extinct. These examples are better than authoritative precepts but I might quote Professor Huxley whom I am sure you will all accept as great and conclusive authority in support of my humble contention, how pernicious in every interest national regimentation or regimentation of any considerable section like that of the Salvation Army is. It is not enough that we establish responsible Government but we must also maintain it in the highest and most progressive state of efficiency. Instances there are where such forms of Government were voluntarily abandoned. Jamaica threw away the gift of a responsible Government after a short trial and Jamaica was once a Colony of Spain, the country of

Loyalla. Let us not forget that the making of modern Italy was due less, much less to Mazzini, the prophetic patriot than to the genius of more wordly patriots—Garibaldi and Cavour. The horrors of Russian Bolshevism are due to the fact that while she has her Mazzini and a more inspiring prophet in Count Tolstoy, she has no Garibaldi or Cavour.

It is worth our while to inquire what our own ancient Indian state was considered from this standpoint. I have already called your attention to the importance universally attached in ancient India to the science of polity as being the highest of sciences. Ancient Hindu state was Government by discussion and the villages and the towns which constituted the country were all quasi-republics and self-contained whose affairs ware carried on by open discussion and deliberation by all the people. The king is enjoined to seek counsel for all administrative measures from a group of ministers and never to act alone or take counsel from a single minister. It was left to him to consult them individually or collectively but consult all of them he must and the number of ministers recommended varied from 12 to 20. The judgment of a single person even in judicial matters was repugnant to ancient Hindu genius. In the ancient Hindu judicial system a court never meant a single judge. In this connection India was praised because he has one thousand counsellers for consultation and assistance. Hence he was called thousand eyed and the high degree of importance the ancient Hindu writers attached to Government by discussion may be gathered from their precept that the King shall despise the opinion of none, for "even a child's sensible utterance might be found wise." Therefore, the genius for Government by discussion is in our inherited blood and it behoves us to see that in seeking responsible Government we seek the best form of it, *viz.*, Government by discussion as being most suitable to our national genius.

Besides the very great evils of regimentation and of surrender of private judgment with the necessary gradual decay of the faculty of private judgment may I have your permission to allude to another very serious evil without producing which the propaganda work of the programme of the Calcutta Congress

cannot be carried on. We have had the experience of its working these four months. I ask you to think and to say like sworn jurymen whether the propaganda work has not caused and roused dismay, grief, and fierce passions and animosities all round. I do not ask you to say whether the production and existence of this evil has been fully proved but I ask you to apply your mind both to the fact as known by each of you and also as easily ascertained by you and to the further aspect how the system is viewed subjectively by all those who are conscientiously unwilling to be party to it. We know that bureaucracy in defence of its own pernicious system has been attacking our country as being divided by castes, creeds, and races, and as being in consequence unfit for and even incapable of the exercise of the rights of Self-Government. It is for you to say whether it is not our religious duty that while we are grateful to God and proud of the new and growing union between the Muslims and the Non-Muslims of this country we do not create two new classes sharply divided on the doctrine of non-cooperation and divided too, in consequence with fierce passions and animosities. The great national advantage we are gaining by the sacred union of the Muslims and the Hindus would be more than neutralised by this huge new danger arising from new frontiers not erected and fomented by the bureaucracy but by ourselves, however conscientiously. Apart from our experience of the actual working of this movement, historic evidence tells us that a movement of this kind is fraught with domestic danger though the nature and extent of it may be contrary to the intenion of the saintly leader of it. Domestic boycott and that of a very fierce kind is a necessary concomitant of the propaganda work. I would allude to one parallel circumstance of it in Ireland, namely, the treatment accorded to tenants who were bidders for farms from which other tenants had been evicted. At a public meeting several voices cried, as regards one such bidder "Shoot him." Parnell, who was present at it proposed a "more Christian and charitable way" and this "Christian and charitable way" was that this poor wretch must be shunned by the everybody on the roadside, in the streets of the town, in the shop, in the market place, and even in the place of worship in short that he should be isolated from the rest of his country "as if he were the leper

of old." It is for you to consider in fear of God and love of justice and of our country whether such things are not also calculated to arise in the carrying out of the particular propaganda before us. Many thinkers even among those who are for abandoning the old method of petitioning Government here and in England for redress of our national grievances and who are for adopting an effectual national weapon to force the hands of our rulers to comply with the national demands at once are afraid, are genuinely afraid, that the success of the working of the particular propaganda would be erecting the whole of India outside the area of non-cooperation into a strange moral coventry.

Ladies and gentlemen—I must not indent on your kind indulgence any further and I must bring my observations to a close. There are several other points of considerable importance to which I might like to call your attention; but I do not think it is so very necessary as to compel me to tax your patience any longer. The programme before us includes the question of the revision of the constitution of the Congress.

The most important part of it is what is known as the creed. In dealing with this point I would appeal to you earnestly to consider that the question is not what the form and spirit of the creed should be if we are called upon to adopt one for the first time, but why and how we should change the existing one. I venture to submit that the two questions are not identical. If we desire a change, the reason and the superior advantage of the change should be clear to us before we consent to the change. I would only say one word about it. Throughout my earnest appeal to you today I proceeded on the basis that British India is part of the British Empire and that the renovated and free British India is to be part of and partner with England. I desire our freedom and our prosperity and our right place in the family of great nations not less fervently than any in this great presence. But dispassionate reason and inspiring precedent have ever sustained me in my irresistible life long conviction that the independence of India in partnership with England would be in every way and in every inte-

rest by far greater than her independence in absolute-separation from her in isolation. I desire to call your attention that Japan saved her threatened freedom and achieved her greatness and glory with England as her treaty ally at her supreme moment. And I believe that the advantages would be far greater if our alliance is full life partnership than qualified term partnership. I will next call your attention to the principles and attitude of the great Irish patriots till recently. Both Henry Grattan and Isaac Butt, the apostles of Irish Home Rule, desired the home rule without separation from England. Said Isaac Butt : "Ireland has given up the idea of separation because she has before her the prospect of abtaining another and a far better thing." Some seven decade before him, Henry Grattan had said she hears the ocean protesting against separation, but she hears the sea likewise protesting against Union; she follows, therefore, her physical destination, and obeys the dispensation of Providence, when she protests, like that sea, against the two situations, both equally unnatural, separation and union.

These words of supreme wisdom are most suitable for our adoption under the dispensations of Providence. If Ireland has now changed her intention and plan it is because the legitimate measure of home rule she so long cried and prayed for was most unwisely refused to her at the right moment as practically confessed by the present Prime Minister. But the circumstances and conditions of the two countries are by no means exactly the same. Her extreme nearness to Great Britain so much that she is deemed essentially and vitally a part of the Island State seems to be in the way of her getting the full dominion Home Rule. But while our grievances are far more substantial and much larger in measure than the grievances of Ireland, our great distance from England not to mention the fact that the peoples of the two countries are not the same in blood, religion and colour makes an enormous difference. It may be that the Unionists desire Ireland to be as much part of the British Isles as Abraham Lincoln thought that the Southern States of the United State should remain an integral part of the whole country. On the whole, I confess that I am unable to understand the full scope and the exact nature of the issue bet-

ween England and Ireland I would, therefore, deprecate all attempts on our part to model our aims and plans on those of Ireland. At least in our case the question is *chose jugee*. Responsible Government has been pledged and promised to us; though we know from past experience what authoritative English pledges and promises to us have been hitherto, yet we need not despair ; and further edition and interpretation by England of this pledges and of her part of the original compact with us generally, will be safeguarded by ourselves soundly organised and ever acting in the right spirit.

I would now conclude and in doing so I would make an earnest appeal to you and beg of you to realise that, for the past two years, we have been in an increasingly critical state of our life, political and economical. I believe that the crisis has now reached its worst and the Nagpur session of the Congress may be rightly deemed to be the Thermopylae in the history of India, certainly in the history of the Indian National Congress. I believe that it has been allotted to this great presence so to think, so to aim; and so to act as to reap the glory of the nation-making and history-making of our beloved Motherland. In one aspect the work before us consists of two essential parts, one positive and the other negative. I venture to think that our fate just now lies chiefly in the hands of two men, the Right Hon'ble Mr. Montagu and Mahatma Gandhi. Two messages have to be presently framed one to each. You will frame the message to Mr. Montagu and by virtue of the confidence you have reposed in me I shall frame message to the Mahatmaji. You will tell Mr. Montagu "Pray do" and I will tell the Mahatmaji pray do not and in the welcome response to each message lies the salvation of our country in the main just now.

The Congress has to tell the Coalition Ministry that at the end of the War it was a great pity that they did not act towards us like Abraham Lincoln at the end of the grear Civil War. At the end of that war he was pressed and cajoled and tempted in every way to return the black warriors, with whose help he gained the war of secession and firmly established the union of the country, to their pre-war masters But his heart rebelled, yes,

of him who was one of the greatest, if not the greatest of the world's emancipators and saviours of man from man and he courageously declined to countenance the ignoble and malignant suggestion. But the Coalition Government fell an easy victim to their own pre-war mentality revised by success and to the conspiracies and temptations to the strain of which they were subjected in respect to these three great questions affecting the vital existence of the people of this country, namely, the immediate establishment of responsible Government, the pledges of our Musalman brethren in the matter of the Khilafat jurisdiction of the Sultan of Turkey and the matter of the treatment of the Indians in the British Colonies by themselves made and by themselves saved in this great war at least to a far greater extent than by the white subjects of His Gracious Majesty. We have to tell them that the opportunity is not wholly lost and that it is not too late.

Some of our warm European friends advocate the demand of a short time limit for the establishment of responsible government. But I venture to think that the proposal cannot recommend itself to us. Without immediate financial independence we cannot live one year longer, without precipitating ourselves deeper and deeper into irretrievable economic exhaustion. On the other hand, absolutely no reason and no pretext even can be thought of as justification or excuse for any further delay in rendering this elementary justice to us. Possibly, the suggestion was made under a mistaken view of the obstacles thrown in our way by the preamble and the provision for time limit in the Government of India Act. But I have already placed before you the view which I believe is beyond controversy and is justified by precedents in the Colonial History of England that the establishment of responsible government can be achieved and can be immediatly begun by Mr. Montagu, under the auspices of His Gracious Majesty if not even by private instructions from himself alone. We have to tell him and I have to tell the Mahatmaji that in the processes of the state-making and nation-building for India, the great political maxim enunciated by Burke should ever be remembered by them, namely, "Bodies tied together by so unatural a

bond of union as mutual hatred, are only connected to their ruin." On our part I would earnestly appeal to you that it is of no use any further to think and call for punishments on those who have heaped unparalleled disaster and humiliation upon us in connection with what is now historically known as the Punjab tragedy. Let us forgive all, any wise concerned with it. But pray let us not forget the frightful business in all its horrors. No man and no nation can wisely walk forward in the path of progress if they are not proud of their past glory and if they do not live in vivid memory of their past errors and misfortunes caused by man. We must make our future and hasten it too, to begin with, in the light of our past and our past within these few years and even within these few months.

But no feelings of hatred or vendetta, should be permitted to traint our principles or plans. Not only our intense love of our motherland is not inconsistent with our forgiveness of England in spite of the continued provocation but on the other hand it is most productive of culture in combination with internal love. What President Poincare says of France is true of us. "Patriotism does not come into conflict with our duties toward humanity; it is on the contrary a necessary condition of those duties" namely duties to ourselves. There is also the great question of justice to the people of England as a whole. We must remember the historic saying of Burke that it is impossible to frame an indictment against a whole nation. And there is the assurance, if assurance is needed, of our warm and distinguished friend, Colonel Wedgewood, that nine-tenths of the people of England are innocent of any kind of connection and countenance of the deeds of men responsible for the frightful horrors of the Punjab.

If we then ordain the new nation of India without feelings of hatred and without feelings of vendetta, externally and with fraternity and love internally, I believe we can compel the Coalition Government and the one-tenth of the people of England at once to confess their sins and to admit the imperious justice of our claim for immediate responsible Government and for full power to collect and appropriate our own taxes and revenue.

If unwisely they postpone our lawful and earnest prayers for elementary justice then the millions of this country will soon know the reason why. But to do that effectively on our part we must be united alike in aim and method. Here also examples of historic wisdom should alone guide us rather than any *a priori* view or alluring prophetic vision. Abraham Lincoln, during all the vicissitudes of the Civil War, for which he was responsible in view to emancipation of the Negro slaves, declared that he attached far greater importance to the unity of the country and that if he was put to a choice only between his two aims, American unity and Negro emancipation, he would certainly abandon the problem of emancipation partially or even wholly in view to national integrity and union. If we are united, we can then tell England and only then and not till then that the 300 millions of India organised and united despise Irish methods and Hungarian plans for freedom but that we shall achieve our own salvation in imitation of far greater and far happier nations such as France and Italy and that if ever in our struggle for freedom methods of Sinn Feinnism should enter and poison the processes it would be by England against India and not by India against England. She already began Sinn Feinnism in the Punjab last year and the frightful horrors she committed there were more frightful than the horrors, actual and reported, of the Sinn Feinns in Ireland. We would remind them too that revolutionary France "bare-footed, bare-backed, with only bread and steel," was able to crush Europe in defence of the newly discovered rights of man and Frenchman. Because in the words of Carlyle, "The nation has that within her which the whole world will not conquer." India reborn and united and speaking as one man with her banner with the new motto not of liberty and equality only but also of fraternity inscribed on it fluttering in every wind of heaven, can tell England. "We also belong to the species home we were the first and the foremost of it and we mean to be one of the foremost if not the foremost of it again; no more pin your faith in the political gospel of "the man on the spot" kind. Don't be stupid any more, either now, or it would be too late; remember that there are some everywhere in India with admiration and love to England, the greater Athens of the modern world, not inferior to the romantic devotion of

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IN DEFENCE OF NON-COOPERATION*

Mr. Chairman of the Reception Committee and Delegates of the Indian National Congress,

We have arrived at a critical stage in our struggle with the bureaucracy; and it behoves us, every one of us, to search our hearts and to ask ourselves the question, "Do I stand for India in her present struggle?" It is because I stand for India that I have responded to your unanimous call today. I thank you for your confidence in me; but I warn you that I have no worldly wisdom to offer you. I come from a city which has felt the full force of the wrath of the Government. Measures for stifling political life have been taken, as I believe, in order to coerce the people to receive His Royal Highness the Prince of Wales; but it is the imprisoned soul of Calcutta that will great His Royal Highness on the 24th December. I come from the struggle which has just begun in Calcutta, chastenea and purified, and if I have no wisdom to give, I at least bring before you unbounded enthusiasm, and a resolute determination to see this struggle through.

I think that at the very outset we ought to define our attitude in relation to the present struggle. What is our aim? Whither are we going? I think that most people will agree that we are out to secure freedom, freedom from foreign subjection, freedom from foreign interference. It is as well, however, that we should have a clear grasp of what is meant by the

*Presidential address written by C. R. Das but circulated in his absence (as he was under detention) at the Ahmedabad Congress held on 27-28 December, 1921.

word "Freedom." In the first place, it does not imply absence of all restraint. When I am forbidden to steal my neighbour's purse or to trespass on my neighbour's land, there is necessarily a restraint on my action : but there is no opposition between freedom and such restraint as has the sanction of the people behind it. In the second place, freedom does not necessarily imply absence of the idea of dependence. Dependence there must be so long as we live in society, and need the protection of society, and there is no necessary opposition between freedom and such dependence as is willingly suffered by the people. But though there is no necessary opposition between freedom and restraint, and freedom and dependence, it must be remembered that restraint that does not deny freedom can only be such restraint as has the sanction of the people behind it; and dependence consistent with freedom can only be such dependence as is willingly suffered by the people for its own protection.

What then is freedom? It is impossible to define the term; but one may describe it as that state, that condition, which makes it possible for a nation to realize its own individuality and to evolve its own destiny. The history of mankind is full of stirring stories as to how nations have struck for freedom in order to keep their nationalism and their individuality inviolate and untarnished. To take only modern instance, one may refer to Finland and Poland, Ireland, Egypt and India. Each of these nations has offered a determined resistance to the imposition of a foreign culture upon it. The history of these nations has run on parallel lines. First there is the protest against cultural conquest; secondly, there is the desire for national education; and lastly, there is the demand for its recognition as a separate organism with the power to work out its own destiny without any hindrance from any foreign power.

We stand then for freedom, because we claim the right to develop our own individuality and evolve our own destiny along our own line, unembarassed by what Western civilization has to teach us and unhampered by the institutions which

the West has imposed on us. But here a voice interrupts me, the voice of Rabindranath, the poet of India. He says, "The Western culture is standing at our door; must we be so inhospitable as to turn it away, or ought we not to acknowledge that in the union of the cultures of the East and the West is the salvation of the world? "I admit that if Indian nationalism has to live, it cannot afford to isolate itself from other nations. But I have two observations to make to the criticism of Rabindranath : first we must have a house of our own before we can receive a guest; and secondly, Indian culture must discover itself before it can be ready to assimilate Western culture. In my opinion, there can be no true assimilation before freedom comes, although there may be, as there has been, a slavish imitation. The cultural conquest of India is all but complete; it was the inevitable result of her political conquest. India must resist it. She must vibrate with national life; and then we may talk of the union of the two civilizations.

I must dispose of another objection, this time of my moderate friends. "You concede," I hear them say, "that freedom is not an end in itself, but a means to an end, the end being self-dependence, self-control; why not work out your destiny within the British Empire?" My answer is that so long as India occupies the position of a dependent in the British Empire, so long the task cannot be undertaken. Go into the village, the heart of India and see the life that is lived by the average Indian. They are sturdy and fearless men; they are men of whom any country would be proud; but the degradation, that must inevitably follow subjection, is writ large on their brow, and their lot is made up of caste troubles, petty squabbles and endless pursuit of litigation for litigation's sake. Where are now the institutions that made them self-dependent and self-contained? Where is the life that enabled them to earn their livelihood and yet left them free to worship the God of their father? I assert that once a nation passes into subjection, degeneration must inevitably set in, attacking the very life-blood of that nation. Its effect is to be seen not in this sphere or that sphere but in every sphere of the nation's activity. Economically, the British rule has had a disastrous effect

we ought to adopt in our fight with the bureaucracy? There are three, and only three, methods that I know of, (1) armed resistance, (2) co-operation with the bureaucracy in the councils that have been established under the Government of India Act, and (3) non-violent non-co-operation. The first I must dismiss as beyond the range of practical politics. Even if it were not so, on principle I am opposed to violence. We must then choose between cooperation and non-cooperation.

I confess, that in considering the question of cooperation, I am not a little troubled by the fact that some of our leaders who assisted at the birth of political life in India are ranged against us on the question. I, therefore, propose to consider some of the arguments that are advanced against us by these supporters of the Government of India Act; and in doing so, I shall consider first whether the freedom of the Indian nation, that is to say, its right to develop its own individuality and evolve its own destiny, has been recognised in the Act; secondly, whether the Act either expressly or by necessary implication gives even the beginnings of responsible government to the Indian people; and lastly, whether the legislature has any control, effective or otherwise, over the purse.

Now the Preamble of the Act is the key to the situation. "Whereas it is the declared policy of Parliament", so the Preamble runs. What is the declared policy of Parliament? To recognise the inherent right of Indians to responsible government? Not at all. To recognise the inherent right of India to be treated as a free and equal partner of the commonwealth of nations known as the British Empire? Not at all. But, mark the timid concession to the rights of India. "To provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions with a view to the progressive realization of responsible government in British India as an integral part of the Empire." I do not think a more halting concession could ever be made to the rights of a people. Now, is there anything in the Preamble to compel the British Parliament to recognise India, at any time, as a free and equal partner of the British

Empire? I think not. "Progressive realization of responsible government in British India!" These are vague words, and they will not at any time, tax the ingenuity of a British statesman. Omitting the second paragraph and coming to the third, we find "that the time and manner of each advance can be determined only by Parliament upon whom responsibility lies for the welfare and advancement of the Indian peoples." Mark the word "peoples," not "people", an assertion by the Parliament that India is not one, but many. I, for one, am not prepared to submit to the insult offered to India in the third paragraph of the Preamble, and I feel bound to protest against it. We are quite prepared to undertake the responsibility for the welfare and advancement of the Indian people (not peoples), and I altogether deny that a foreign Parliament can possibly discharge its responsibilities in relation to a subject nation. I resent the doctrine that the Parliament is to determine the time and manner of each advance, and I say that the whole object of the legislation, as disclosed in the third paragraph of the Preamble, is to perpetuate the domination of the British Parliament, which I cannot for a moment accept. The fourth paragraph holds out a distinct threat. "And whereas the action of Parliament," so it says, 'in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility." In other words, if we are good boys, and if we satisfy the British Parliament that we have a sense of responsibility, then the British Parliament will consider whether we ought not to have a further instalment of reforms. In other words, we are perpetual infants, and the British Parliament is our sole guardian.

Ladies and Gentlemen, I have very great respect for the opinion of my political opponents, but I cannot accept the fundamental principle on which the Reform Act is based. I think that we should preserve our self-esteem, whatever the stage of our progress may be. I think that we should solemnly declare in open Congress, that freedom is inherent in every nation and that India has and possesses the right to develop her own individuality and to evolve her own destiny unham-

pered by what the British Parliament has decided or may decide for us. I think we should recognise that any power that in any way hampers or embarasses the self-realization and self-fulfilment of the Indian nation is an enemy of India and must as such be resisted. I am willing to co-operate with England, but on one condition only, that she recognises this inherent right of India. That recognition you will not find anywhere in the Government of India Act, and I for one will not be a party to the perpetuation of British domination in India. But my moderate friends tell me, that though the freedom of the Indian people, in the sense in which I understand the term, has not been recognised in the Act of Parliament, still, if we work the reforms, it will not be in the power of Parliament to withhold that freedom. I do not doubt the wisdom of my friends nor deny their patriotism; but the question, in my opinion, is entirely irrelevant. My position is this, that however willing I may be to enter into a compromise with the English Government in matters of detail, and I am willing to make great sacrifices, I will not enter into any compromise on the question which I hold to be fundamental. Freedom is my birthright, and I demand a recognition of that right, not by instalments nor in compartments, but whole and entire. I do not doubt that victory will be on our side, but supposing we fail, we would at least have preserved inviolate our national self-respect and dignity, we would at any rate have repudiated the insult on which the Government of India Act is based. The difference between the Indian National Congress and the Ministers who are working the Reforms Act seems to me to be fundamental, in that the former has its eye fixed on the ultimate and would reject as essentially false anything that does not recognise the freedom of the Indian people, whereas the latter have their eyes fixed on the departments of which they are in charge, and hope to attain freedom through the successful working of those departments.

I will now consider whether the Act gives even the beginnings of responsible government to India, and whether the Legislature has any control over the purse. The two questions must be considered together. It is the view of the moderates in

Bengal that out of seven members of the Bengal Government, five are Indians. The view is entirely erroneous. I think I am right in saying that provinces are governed, in relation to reserved subjects, by the Governor-in-Council, and in relation to transferred subjects, by the Governor, acting with ministers. The statute makes no provision whatever for the joint deliberation by the Governor and his Council and his Ministers sitting together, except in regard to proposals for taxation and borrowing, and the framing of proposals for expenditure of public money. In regard to the reserved subjects and these are subjects which are of vital importance to us as a nation in our struggle for political liberty, the Ministers have no voice whatever. I think I am right in saying that they are the dumb spectators of the fight that is how going on between us and the government. They are not part of the Government to consider whether, in relation to the non-cooperation movement, a repressive policy should or should not be initiated in the country. Their advice will not be sought when the Local Government has to consider the question whether Mahatma Gandhi ought or ought not to be arrested. If I am right in my view as to the position of the ministers in relation to reserved subject, then I suggest to my moderate friends that they are under an entire misapprehension when, they say, that a majority of the members of the Government are Indians. The truth is, that in relation to the reserved subjects, the Indian element is in a minority and cannot affect the policy of the Government in the slightest degree, provided the Governor and the English members of the Council combine against it.

I have now to consider the position of the Ministers and the relation between the Ministers and the Legislature in regard to the transferred subjects. My first point is, that it is a mistake to suppose that any subject has been transferred to the Ministers. I concede that certain departments have been transferred, but I maintain that they have been transferred subject to the encumbrances created by a century of bureaucratic rule, and the Ministers have no power whatever to discharge those encumbrances. I will at once make my meaning clear. Now medical administration is an important department of the state; and so

is public health. These departments, I understood, have been transferred to the Ministers, and the Minister, provided he has complete control of the "subject," is in a position to confer a lasting benefit on the community. But what is the position? The Minister has no effective control over the officers who run these departments, and no voice whatever in the selection of his own officers. It is a peculiar circumstances in the history of the bureaucratic rule in India that whenever the people have cried for something essential to their existence, the Government has given them expensive administration, expensive offices and expensive buildings instead. The test whether the "subject" has been transferred to the Minister is this: Is the Minister for health under the law in a position to take up this attitude, "I will recast the whole system under which these departments have hitherto been administered. I will abolish the Indian Medical Service, and employ local agencies who would know how to disinfect a well and what steps to take in the case of an epidemic. I will then have more money to spend on the needs of the people"? But no. This attitude the Act denies to him, and yet it is said that the subject has been transferred to him. One of the Ministers in India described his position in bitter terms in the course of a council debate. He complained that if he applied to the Medical department or the Sanitary department for doctors to meet an emergency, they said to him in reply. "We have no doctors". If he took the responsibility of sending doctors to the affected area, the Medical department said to him "We do not recognise your doctors, and you must pay them out of your own pocket". When I point out to you that the Minister in question is the Minister in charge of the Medical department and Sanitary department, you will grasp the full significance of the "transfer of subjects" that has taken place under the Act. Well might a Minister exclaim, as one actually did, "Silver and gold have I none, but of such as I have I give unto thee", that is, sympathy. He added that he could only give sympathy, because the purse was held by somebody else, that is to say, the finance member.

This brings me to a question of great importance, and that is whether the Legislature has any control over the purse. The

moderates maintained the affirmative of the position; I maintain the negative. I shall presently refer to the provisions of the Act to support my position; but I have a witnesss of undoubted position and respectability in my favour, whose evidence I should like to place before you. In the' course of the general discussion on the budget in one of the councils, a Minister said as follows : "The two poor men who have been put down here as Ministers are presumed to be clothed with all the powers of Ministers in the House of Commons, and therefore they are called upon to account for everything for which perhaps a Minister in the House of Commons is reponsible... The Minister here begins his life by getting a dole of money that is given by those who are in charge of the whole administration." The question is whether the moderates are right or the Minister in question is right. Both may be wrong, but both cannot be right.

Under the rules framed under the Government of India Act, the framing of proposals for expenditure in regard to transferred and reserved subjects is a matter of agreement between the Members of Executive Council and the Ministers; but if they do not agree as to the apportionment of funds between reserved and transferred departments respectively, the Governor has the power to allocate the revenues and balances of the province between reserved and transferred subjects by specifying the fractional proportions of the revenues and balances which shall be assigned to each class of 'subject'. What, then is the position? The moderates proudly assert that the majority of members of the Government are Indians. If that were so, one would expect the question of apportionment to be decided in accordance with the view of the majority; but that is not done, because the entire scheme is based on the distrust of the Ministers. We have, therefore, this result that if the members and the Ministers are unable to come to an agreement, the matter is decided by the Governor who may act either in accordance with his own discretion or in accordance with the report of an authority to be appointed by the Governor-General in this behalf on the application of the Governor.

That is the impossible position in which the Minister is

placed by the scheme framed under the Act, but what is the position of the Council ? Has it any power to say, "we require the funds to be apportioned in the way we suggest and not according to the proposal made by the Government?" Can it say, "We require you to spend so much to fight malaria or so much for primary education?" The Act undoubtedly gives power to the Council to refuse its assent to a demand or to reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed, but this is subject to an important proviso, viz. that the local Government shall have power, in relation to any such demand, to act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, if the demand relates to a reserved subject, and the Governor certifies that the expenditure provided for by the demand is essential to the discharge of his responsibility for the subject. This according, to the Moderates, is the effective control which the Legislature has over the purse. It has no power whatever to say in what proportion the revenue of the country should be allocated between reserved and transferred departments respectively; it has no control whatever over the revenue allocated to the reserved subjects. All that it can do is to say to the Ministers, "We refuse our assent to your demand," or, "we reduce the amount referred to in your demand either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed." It is ridiculous to describe the limited control exercisable by the Council in relation to the transferred subjects as "an effective control over the purse."

In administrative matters, the position of the Minister is no better. The Act provides that in relation to transferred subjects, the Governor shall be guided by the advice of his Ministers, unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice. In a dispute between the Minister in charge of the department of health and his officer on a question of policy, it is possible for the Governor to support

the officer against the Minister. In matters of legislation in relation to the transferred subjects, there is in theory some power in the Legislature, but in practice the finance department, controlled by a member of the Executive Council, would have the last word on the subject, for I can conceive of no legislation which does not involve expenditure of money, and it is the duty of the finance department (of which, be it remembered the Minister is not a Member) to examine and advise on the scheme of the new expenditure for which it is proposed to make provision in the estimates.

In regard to the whole scheme, it is legitimate to ask, "Does it secure even the elementary rights which every citizen under any civilised Government possesses? Is repressive legislation impossible under the Act, except with the consent of the people? Does it give to the people the right to repeal the repressive legislation which disgraces the Statute book in India? Has a repetition of the Punjab atrocities been made impossible?" I think I am right in saying, that in regard to all these matters the position is exactly the same as it was before the Reforms Act.

This, then, is the seheme which is being worked by the Ministers, and we have been solemnly assured by the Moderates that the beginning of *Swaraj* is to be found in the Scheme. Much as I would like to end all unnecessary conflict, I cannot recommend to you the acceptance of the Act as a basis for cooperation with the Government. I will not purchase peace with dishonour, and so long as the Preamble to the Government of India Act stands and our right, our inherent right, to regulate our own affairs, develop our own individuality and evolve our own destiny, is not recognised, I must decline to consider any terms of peace.

The only method therefore of warfare open to us is non-cooperation; and that is the programme which we adopted at two successive congresses. We are devoted to the doctrine of non-cooperation, and you will not expect me to discuss its ethics. But there are friendly critics whose doubts we ought

to dispel, if it is in our power to do so. They say that the doctrine of non-cooperation is a doctrine of negation, a doctrine of despair; they stand aghast at the narrowness, the exclusiveness which such a doctrine implies, and they draw our attention to the trend of political events in the world, and they ask us whether there is any hope for a nation that is determined to live a life of isolation.

I feel bound to answer the questions which have been raised by these critics, and, in doing so, I must ask myself the question, "what is non-cooperation?" I find it easier to answer the question by considering for a moment what is not non-cooperation. Non-cooperation is not a refusal to cooperate with the English people because they are English people. Non-cooperation does not advocate a policy of separation, a policy of isolation. Indeed, in our conflict with the forces of injustice and unrighteousness, we are not foregetting him, to quote the words of Rabindranath, "who is without distinction of class or colour, and who, with his varied *Shakti* makes true provision for the inherent need of each and every class." But before we can join the forces of the world in the missionary enterprise of uplift humanity, it is at least necessary that we should find fulfilment in self-realization and self-development, for, it is only as a nation, that has realized itself, that we can hope to be of any service to humanity. Let us consider the matter for a moment. Our philosophy recognises that there is an essential unity behind all diversities, and that these diversities, "*Vaichitrya*" if I may use that expression, constitute the "*Lila*" of the Supreme Reality. The whole object of human endeavour as I understand it, is to reconcile these endless diversities so as to affirm the Supreme Reality. God's *Lila* requires that every manifestation must have an unhampered growth. Every nation on the face of the earth represents such a manifestation. Like the various flowers in a garden, the nations must follow their own laws and work out their own destiny, so that in the end they might each and all contribute to the life and culture of humanity. In order that humanity may be served, the ultimate unity realized, that essential something, which distinguishes one nation from another, which I may describe as the individuality

of the nation, must have unfettered growth. This is the essence of the doctrine of nationalism for which men have been ready to lay down their lives. Nationalism is not an aggressive assertion of its individuality, distinct and separate from the other nation's but it is a yearning of self-fulfilment, self-determination and self-realisation as a part of the scheme of the universal humanity by which alone humanity can fulfil itself, determine itself and realize itself. Non-cooperation, therefore, though it does not refuse cooperation with the English because they are English, will refuse to cooperate with any power or institution which embarrasses in any way the growth of the individuality of the Indian nation or hampers its self-fulfilment. Non-cooperation again does not reject Western culture because it is Western. But it recognises that there must be rejection in order that there may be whole-hearted acceptance. The cry of national education is not a protest against foreign education. But It is a protest against the imposition of foreign culture on India. Subjection is hard to bear, whether it be political or cultural; and indeed, as history shows, cultural subjection must inevitably follow in the wake of political subjection. Our desire for national education is only an endeavour to establish a continuity with the past and to enthrone our culture in our hearts. The doctrine that we preach does not exclude any light that may come from outside; but we say to those who care to listen to us: "First light the lamp that lies neglected in your home; look into the past and realise your present position in the light of the past, and then face the world with courage and receive whatever light that may come from outside."

What then is non-cooperation? I cannot do better than quote the eloquent words of Mr. Stokes; "It is the refusal to be a party to preventable evil; it is the refusal to accept or have any part in injustice; it is the refusal to acquiesce in wrongs that can be righted, or to submit to a state of affairs which is manifestly inconsistent with the dictates of righteousness. And as a consequence, it is the refusal to work with those who, on grounds of interest or expediency, insist upon committing or perpetuating wrong."

But it is argued that the whole doctrine is a doctrine of negation, a doctrine of despair. I agree that in form the doctrine is one of negation. But I maintain that in substance it is one of affirmation. We break in order to build; we destroy in order to construct; we reject in order to accept. This is the whole history of human endeavour. If subjection be an evil, then we are bound to non-cooperate with every agency ,that seeks to perpetuate our subjection. That is a negation; but it affirms our determination to be free; to win our liberty at any cost. Nor do I agree that the doctrine is one of despair. It is a doctrine of hope and of confidence and of unbounded faith in its efficacy. One has only to look at the faces of the sufferers as they are led to prison to realise that victory is already ours. It is not for nothing that Shaukat Ali and Mohamad Ali, courageous and resourceful, have lived and suffered. It is not for nothing that Lajpat Rai, one of the bravest of spirits that ever faced the sun, flung the order of the bureaucracy in its face and marched boldly into the prison that awaited him. It is not for nothing that Pt. Motilal Nehru, that prince amongst men, spurned the riches that were his, and defied the order that would enslave him, refusing no pain that the malice of power could invest. Time will not permit me to read to you all the names that are inscribed on the roll of honour; but I must not forget to mention the students who are at once the hope and glory of the Motherland. I, who have been privileged to watch the current of political life in its very centre, can testify to the wonderful courage and unfliching devotion displayed by the students. Theirs is the inspiration behind the movement, theirs the victory. They are the torch-bearers of the time; they are the pilgrims on the road. If suffering has been their lot, victory is their due.

This, then is the philosophy on which the non-cooperation movement is based, to defy with absolute constancy the hostile powers that would hamper in any way our growth and self-fulfilment as a nation to keep its evil always in view, not hating the power but recognising its evil as an evil, and refusing no suffering that the malice of that power can invent. I admit, gentlemen, that the ideal is very high, but I maintain that it is

the only method which we can adopt for the early establishment of Swaraj. It requires no wisdom to see that if every one of us withdraws our helping hand from the machine that is relentlessly working to prevent our growth and self-realization as a nation, the machine must, of necessity, stop its work. We are told, however, that once the machine of Government stops its work, we shall be swept away by the forces of disorder and reaction. There is a simple answer to this argument. The non-cooperation movement can never hope to succeed, unless our forces are properly organised, and the ethics of the movement properly understood by the nation. If they are not understood, the question will not arise, for we cannot then hope to carry the struggle to a successful termination; but if they are understood, then the inherent strength of the movement will prevent anarchy and bloodshed. But I cannot disguise from myself the fact that there have been disturbances in Bombay in the course of our propaganda. We must accept responsibility for such disturbances and frankly admit that, to the extent to which there has been violence, intimidation and coercion, we may be said to have failed. But what is the remedy ? Surely not to abjure our faith, but to see that the faith is properly understood. Bloodshed and disorder have been associated with every great movement that has taken place—the spread of Christianity for instance.

But is it to be argued, that because, in the spread of a New Idea there is danger of disorder and disturbance as it comes into conflict with old ideals and the old view of life, the missionaries must of necessity stay their hand and decline to carry the light they feel? Such an argument is not worth a moment's consideration. You may argue, if you like, that our doctrine has not yet been understood by the people. You must argue, if you choose, that our programme ought to be revised in the light of the disturbances which have taken place in Bombay. But the fact that disturbances have in fact taken place in Bombay. But the fact that disturbances have in fact taken place in a single small area is no argument against the essential truth of our movement. We must meet the situation with courage and devise means to prevent the recurrence of those disturbances;

and declaring as unlawful all voluntary associations, through which alone the Australians could hope to work for national regeneration, what would His Excellency's advice be to the Australians, supposing they solemnly agree to defy such laws and disregard the orders issued under such laws ? I venture to think that His Excellency does not understand the situation which has arisen in India, therefore he is puzzled and perplexed. Rightly or wrongly the Congress has adopted the policy of non-cooperation as the only legitimate political weapon available for its use. That is not breaking the law. Rightly or wrongly, the Congress has decided to boycott foreign goods, and especially foreign cloth. That is not breaking the law. Rightly or wrongly, the Congress has decided to boycott the visit of His Royal Highness the Prince of Wales. Now in what way is the Congress to carry on its work except through the voluntary organisations which you have proclaimed under the Indian Criminal Law Amendment Act ? In striking at these voluntary organisations, you strike at the Congress propaganda which, you are bound to admit, is not unlawful. Why should it puzzle Your Excellency, assuming you credit us with the same amount of patriotism which you have, that we have solemnly resolved to disobey your orders and court imprisonment ? I assert that it is you who have broken the law and not we. You have transgressed the law which secures to every subject, freedom of speech and action, so long as the speech and the action do not offend against the ordinary criminal law of the land. You have transgressed the law which secures to the subject the unrestricted right to hold meetings, so long as these meetings do not degenerate into unlawful assemblies. These are the common law rights of the subject which you have transgressed, and I would remind Your Excellency that it is on the due observance of these elementary rights that the allegiance of the subjects depends.

But then, it is said that these associations interfere with the administration of the law and with the maintenance of law and order. If they do, then the ordinary criminal law is there, and it ought to be sufficient. I have heard of no instance of violence in Calcutta; certainly none was reported to the police. Charges

of violence can be investigated, and therefore they were not made. But charges of threat and intimidation are easy to make, because they cannot be investigated. I would ask the authorities one question : Was any case of threat or intimidation reported to the police? Has the local Government found, on enquiry, that quite apart from general allegations which can easily be made, there were specific cases of threat or intimidation practised by the non-cooperators on the "loyalists" of Calcutta? An English Journalist, signing himself as "Nominis Umbra", gave as his opinion to an English Paper in Calcutta that the *hartal* was willingly acquiesced in by the people. We read in "A Ditcher's diary" in Capital of the 24th November last, "the people surrendered at discretion, but it was impossible for a careful observer not to see that not only were they, for the most part, willing victims of new *zulm*, but also that they exulted in the discomfiture of the Sirkar." If that be so, then what case is there for the declaration under Sec. 16 of the Indian Criminal Law Amendment Act? Was the position in Calcutta on the 17th November last worse than the position in England when a big strike is in progress? And is it suggested that there resides any power in the Cabinet of England to put down a strike and prevent picketing? No, gentlemen, the real object of the application of the Indian Criminal Law Amendment Act is not to protect society against the threats and intimidation of the non-cooperators, but to crush the Congress and the non-cooperation movement. It is to such threat that you have to return an answer.

There is another object which the Government has in view; it is to make, by threat, intimidation and coercion, the visit of His Royal Highness the Prince of Wales to Calcutta a success. On your behalf I would respectfully lay before His Royal Highness our wishes of goodwill to him personally. There is no quarrel between us and the Royal House of England; but he comes here as the ambassador of a Power with whom we have decided not to cooperate; as such we cannot receive him. Also. we are in no mood to take part in any rejoicing. We are fighting for our national existence, for the recognition of our elementary rights freely to live our own life and evolve our own destiny

according to our lights. It would be sheer hypocrisy on our part to extend a national welcome to the ambassador of the Power that would deny us our elementary rights. There is, in the refusal to extend a national welcome to His Royal Highness, no disrespect either to him or to the Royal House of England. There is only determination not to cooperate with the Bureaucracy.

10

THE SWARAJIST IDEOLOGY*

Sisters and Brothers,

As I stand before you today a sense of overwhelming loss overtakes me, and I can scarcely give expression to what is uppermost in the minds of all and everyone of us. After a memorable battle which he gave to the Bureaucracy, Mahatma Gandhi has been seized and cast into prison; and we shall not have his guidance in the proceedings of the Congress this year. But there is inspiration for all of us in the last stand which he made in the citadel of the enemy, in the last defiance which he hurled at the agents of the Bureaucracy. To read a story equal in pathos, in dignity, and in sublimity, you have to go back over two thousand years, when Jesus of Nazareth, "as one that perverted the people" stood to take his trial before a foreign tribunal.

"And Jesus stood before the Governor: and the Governor asked him, saying,

Art you the king of the Jews? And Jesus said unto him, Thou sayest."

And when he was accused of the chief priests and elders, he answered nothing.

'Then said Pilate unto him, Hearest thou not how many things they witness against thee'?

"And he answered him to never a word : in so much that the Governor marvelled greatly."

Mahatma Gandhi took a different course. He admitted that

*Presidential address delivered by C. R. Das at the Gaya Congress held on 26-31 December, 1922.

he was guilty, and he pointed out to the Public Prosecutor that his guilt was greater than he, the Prosecutor, had alleged; but he maintained that if he had offended against the law of Bureaucracy, in so far offending he had obeyed the law of God. If I may hazard a guess, the Judge who tried him and who passed a sentence of imprisonment on him was filled with the same feeling of marvel as Pontius Pilate had been.

Great in taking decisions, great in executing them, Mahatma Gandhi was incomparably great in the last stand which he made on behalf of his country. He is undoubtedly one of the greatest men that the world has ever seen. The world hath need of him, and if he is mocked and jeered at by "the people of importance," "the people with a stake in the country"—Scribes and Pharisees of the days of Christ—he will be gratefully remembered, now and always by a nation which he led from victory to victory,

Law and Order

Gentlemen, the time is a critical one and it is important to seize upon the real issue which divides the people from the Bureaucracy and its Indian allies. During the period of repression which began about this time last year it was this issue which pressed itself on our attention. This policy of repression was supported and in some cases instigated by the Moderate Leaders who are in the Executive Government. I do not charge those who supported the Government with dishonesty or want of patriotism. I say they were led away by the battle cry of Law and Order. And it is because I believe that there is a fundamental confusion of thought behind this attitude of mind that I propose to discuss this plea of Law and Order. "Law and Order" has indeed been the last refuge of Bureaucracies all over the world.

It has been gravely asserted not only by the Bureaucracy but also by its apologists, the Moderate Party, that a settled Government is the first necessity of any people and that the subject has no right to present his grievances except in a constitutional way by which I understand in some way recognised by the constitution. "If you cannot actively cooperate in the maintenance

of "the Law of the land" they say "it is your duty as a responsible citizen to obey it passively. Non-resistance is the least that the Government is entitled to expect from you." This is the whole political philosophy of the Bureaucracy the maintenance of law and order on the part of the Government, and an attitude of passive obedience and non-resistance on the part of the subject. But was not that the political philosophy of every English king from William the Conqueror to James II? And was not that the political philosophy of the Romanoffs, the Hohenzollerns and of the Bourbons? And yet freedom has come, where it has come, by disobedience of the very laws which were proclaimed in the name of law and order. Where the Government is arbitrary and despotic and the fundamental rights of the people are not recognised, it is idle to talk of law and order.

The doctrine has apparently made its way to this country from England. I shall, therefore, refer to English history to find out the truth about this doctrine. That history has recorded that most of the despots in England who exercised arbitrary sway over the people proposed to act for the good of the people and for the maintenance of law and order. English absolutism from the Normans down to the Stuarts tried to put itself on a constitutional basis through the process of this very law and order. The pathetic speech delivered by Charles I just before his execution puts the whole doctrine in a nutshell. "For the people," he said, "truly I desire their liberty and freedom as much as anybody whatsoever, but I must tell you that their liberty and freedom consist in having Government, those laws by which their lives and their goods may be their own. It is not their having a share in the Government, that is nothing appertaining to them. A subject and a sovereign are clear different things." The doctrine of law and order could not be stated with more admirable clearness. But though the English kings acted constitutionally in the sense that their acts were in accordance with the letter of law and were covered by precedents, the subject always claimed that they were free to assert their fundamental rights and to wrest them from the king by force or insurrections. The doctrine of law and order received a rude shock when

King John was obliged to put his signature to the Magna Charta on the 15th of June, 1215. The 61st clause of the Charter is important for our purpose securing as it did to the subject the liberty of rebellion as a means for enforcing the due observance of the Charter by the Crown. Adams, a celebrated writer of the English Constitutional History says that the conditional right to rebel is as much as the foundation of the English constitution today as it was in 1215. But though the doctrine of law and order had received a rude shock, it did not altogether die; for the intervening period the Crown claimed and asserted the right to raise money, not only by indirect taxes but also by forced loans and benevolences; and frequently exercised large legislative functions not only by applying what are known as suspending and dispensing powers but also by issuing proclamations. The crown claimed, as Hallam says, "not only a kind of supplemental right of legislation to perfect and carry out what the spirit of existing laws might require but also a paramount supremacy, called sometimes the king's absolute or sovereign power which sanctioned commands beyond the legal prerogative, for the sake of public safety whenever the council might judge to be that in hazard." By the time of the Stuarts the powers claimed by the Crown were recognised by the courts of law as well founded, and to quote the words of Adams, "the forms of law became the engines for the perpetration of judicial murders." It is necessary to remember that it was the process of law and order that helped to consolidate the powers of the Crown; for it was again and again laid down by the Court of Exchequer that the power of taxation was vested in the Crown, where it was 'for the general benefit of the people." As Adams says, "the Stuarts asserted a legal justification for everything done by them." and, "on the whole, history was with the king."

But how did the Commons meet this assertion of law and order? They were strict non-cooperators both within and outside the Parliament. Within the Parliament they again and again refused to vote supplies unless their grievances were redressed. The king retorted by raising Customs duties on his own initiative and the courts of law supported him. The Commons passed a resolution to the effect that persons paying them

claim the passive obedience of the subject, or was there any power of resistance in the subject, though that resistance might result in disorder and in breaches of law? The adherents of the Parliament stood for the power and the majesty of the people, the authority and "independence of Parliament," individual liberty, the right to resist, and the right to compel abdication and secure deposition of the Crown; in a word, they stood for Man against the coercive powers of the State. The adherents of the Crown stood for indefeasible right, a right to claim passive obedience and secure non-resistance on the part of the subject through the process of law and order; in a word, they stood for state coercion and compulsory cooperation against individual liberty.

The issue was decided in favour of Parliament, but, as it must happen in every war of arms, the victory for individual liberty was only temporary. Though the result of civil war was disastrous from the point of view of individual liberty and though it required another revolution, this time a non-violent revolution to put individual liberty on a sure foundation, "the knowledge that the subject had set in rude judgment on their king, man to man, speeded the slow emancipation of the mind from the shackles of custom and ancient reverence."

The revolution of 1688 —a bloodless revolution—secured for England that rule of law which is the only foundation for the maintenance of law and order. It completed the work which the long Parliament had begun and which the execution of Charles I had interrupted. But how was the peaceful revolution of 1688 brought ? By defiance of authority and by rigid adherence to the principle that it is the inalienable right of the subject to resist the exercise by the executive of wide, arbitrary or discretionary powers of constraint.

The principle for which the revolution of 1688 stood was triumphantly vindicated in the celebrated case of Dr. Sacheverell. In the course of a sermon which he had preached, he gave expression to the following sentiment. "The grand security of our Government and the very pillar upon which it stands, is

founded upon the steady belief of the subjects' obligation to an absolute and unconditional obedience to the supreme power in all things lawful, and the utter illegality of resistance on any pretence whatsoever". This is the doctrine of passive obedience and non-resistance—the doctrine of law and order which is proclaimed today by every Bureaucrat in country, foreign or domestic, and which is supposed to be the last word on the subject's duty and Government's rights. But mark how they solved the problem in England in 1710. The Commons impeached Dr. Sacheverell giving expression to a view so destructive of individual liberty, and the Lords, by a majority of votes, found him guilty. The speeches delivered in the course of the trial are interesting. I desire to quote a few sentences from some of those speeches. Sir, Joseph Jakyll, in the course of his speech said, "that as the law is the only measure of the Prince's authority, and the people's subjection, so the law derives its being and efficacy from common consent; and to place it on any other foundation than common consent, is to take away the obligation, this notion of common consent puts both prince and people under, to observe the laws. My Lords, as the doctrine of unlimited non-resistance was implicitly renounced by the whole nation in the revolution, so divers Acts of Parliament afterwards passed, expressing their renunciation, and, therefore, I shall only say that it can never be supposed that the laws were made to set up a despotic power to destroy themselves, and to warrant the subversion of a constitution of a Government which they were designed to establish and defend." Mr. Walpole put the whole argument in a nutshell when he said, "The doctrine of unlimited, unconditional passive obedience was first invented to support arbitrary and despotic power and was never promoted or countenanced by any Government that had not designs, some time or other of making use of it." The argument against the doctrine of law and order could not be put more clearly or forcibly: for his argument comes to this, the doctrine is not an honest one, if law and order is the process by which absolutism consolidates its powers and strengthens its hand I will make one more quotation, and that is from the speech of Major-General Stanhope. "As to the doctrine itself of absolute non-resistance it should seem needless to prove by argument that it is incon-

sistent with the law of reason, with the law of nature, and with the practice of all ages and countries. And indeed, one may appeal to the practice of all churches and of all states and of all nations in the world, how they behaved themselves when they found their civil and religious constitutions invaded and oppressed by tyranny."

The conclusion is irresistible that it is not by acquiescence in the doctrine of law and order that the English people have obtained the recognition of their fundamental rights. It follows from the survey that I have made, firstly, that no regulation is law unless it is based on the consent of the people; secondly where such consent is wanting, the people are under no obligation to obey; thirdly, where such laws are not only not based on the consent of the people but profess to attack their fundamental rights, the subjects are entitled to compel their withdrawal by force or insurrections; fourthly, that law and order is, and has always been, a plea for absolutism, and lastly, there can be neither law and order before the real reign of law begins.

I have dealt with the question at some length, as the question is a vital one, and there are many Moderates who still think that it is the duty of every loyal subject to assist the Government in the maintenance of law and order. The personal liberty of every Indian today depends to a great extent on the exercise by persons in authority of wide, arbitrary or discretionary powers. Where such powers are allowed the rule of law is denied. To find out the extent to which this exploded doctrine of law and order influences the minds of sober and learned men you have only to read the Report of the Committee appointed to examine the Repressive Laws. You will find in the Report neither the vision of the patriotic nor the wisdom of the statesman; but you will find an excessive worship of that much advertised, but much misunderstood phrase "Law and Order." Why is Regulation 3 of 1818 to be amended and kept on the Statute Book? Because for the protection of the frontiers of India and the fulfilment of the responsibility of the Government of India in relation to Indian States, there must be some enactment to arm

the Executive with powers to restrict the movements and activities of certain persons who, though not coming within the scope of any criminal law, have to be put under some measure of restraint. Why are the Indian Criminal Law Amendment Act, 1908 and the Prevention of Seditious Meetings Act, 1911 to be retained on the Statute Book? For the preservation of law and order. They little think, these learned gentlemen responsible for the Report, that these Statutes, giving as they do the Executive, wide, arbitrary and discretionary powers of constraint, constitute a state of things wherein it is the duty of every individual to resist and to defy the tyranny of such lawless laws. These Statutes in themselves constitute a breach of law and order, for, law and order is the result of the rule of law; and where you deny the existence of the rule of law, you cannot turn round and say, "it is your duty as law-abiding citizens to obey the law."

We have had abundance of this law and order during the last few years of our National History. The last affront delivered to the nation, was the promulgation of an Executive order under the authority of the Criminal Law Amendment Act making the legitimate work of the Congress volunteers illegal and criminal. This was supported by our Moderate friends on the ground that it is the duty of the law-abiding subject to support the maintenance of law and order. The doctrine, as I said before has travelled all the way from the shores of England. But may I ask—is there one argument advanced today by the Bureaucracy and its friends which was not advanced with equal clearness by the Stuarts? When the Stuarts arrogated to themselves a discretionary power of committing to prison all persons who were on any account obnoxious to the Court, they made the excuse that the power was necessary for the safety of the nation, and the power was resisted in England, not because it was never exercised for the safety of the nation, but because the existence of the power was inconsistent with the existence at the same time of individual liberty. When the Stuarts claimed the right to legislate by proclamations and by wide exercise of suspending and dispersing powers, they did so on the express ground that such legislation was necessary for public safety.

That right was denied by the English nation, and because such legislation was not necessary for public safety, but because such right could not co-exist with the fundamental right of the nation to legislate for itself. Is the power of the Governor-General to certify that the passage of a Bill is essential for safety or tranquillity or interest of British India any different from the power claimed by the Stuarts? There is indeed a striking resemblance between the power conferred on the Governor-General and Governors of the provinces and the powers claimed by the Tudors and the Stuarts. When the Stuarts claimed the right to raise revenue on their own initiative, they disclaimed any intention to exercise such right except "when the good and safety of the kingdom in general is concerned and the whole kingdom is in danger." That right was registered in England, not because the revenues raised by them were not necessary for the good and safety of the kingdom, but because that right was inconsistent with the fundamental right of the people to pay such taxes only as were determined by the representatives of the people for the people. Is the power conferred on the Governor to certify that the expenditure provided for by a particular demand not assented to by the Legislature is essential to the discharge of his responsibility for the subject any different from the power claimed by the Stuarts? It should be patent to every body that we do not live under the rule of law, and the history of England has proclaimed that it is idle to talk of the maintenance of law and order when large discretionary power of constraints are vested in the Executive. The manhood of England triumphantly resisted the pretensions of "Law and Order." If there is manhood in India today, India will successfully resist the same pretensions advanced by the Indian Bureaucracy.

I have quoted from English history at length because the argument furnished by that history appeals to most people who are frightened by popular movements into raising the cry of "Law and Order" and who think that the development of the great Indian nation must follow the lines laid down in that history. For myself oppose the pretensions of "law and order," not on historical precedent, but on the ground that it is the in-

order is an outrage on man and an insult to God.

But though our Moderate friends are often deluded by the battle-cry of law and order, I rejoice when I hear that cry. It means that the Bureaucracy is in danger and that the Bureaucracy has realised its danger. It is not without reason that a false issue is raised; and the fact that false issue has been raised fills me with hope and courage. I ask my countrymen to be patient and to press the charge. Freedom has already advanced when the alarm of law and order is sounded; that is the history of Bureaucracies all over the world.

In the meantime it is our duty to keep our ideal steadfast. We must not forget that we are on the eve of great changes, that world forces are working all around us and that the battle of freedom has yet to be won.

Nationalism : The Ideal

What is the ideal which we must set before us? The first and foremost is the ideal of nationalism. Now what is nationalism? It is, I conceive, a process through which a nation expresses itself and finds itself, not in isolation from other nations, not in opposition to other nations, but as part of a great scheme by which, in seeking its own expression and therefore its own identity, it materially assists the self-expression and self-realisation of other nations as well. Diversity is as real as unity. And in order that the unity of the world may be established, it is essential that each nationality should proceed on its own line and find fulfilment in self-expression and self-realisation. The nationality of which I am speaking must not be confused with the conception of nationality as it exists in Furope today. Nationalism in Europe is an aggressive nationalism, a selfish nationalism, a commercial nationalism, of gain and loss. The gain of France is the loss of Germany and the gain of Germany is the loss of France. Therefore French nationalism is nurtured on the hatred of Germany, and German nationalism is nurtured on the hatred of France. It is not yet realised that you cannot hurt Germany without hurting Humanity, and in consequence hurting France; and that you cannot hurt France without hurt-

ing Humanity, and in consequence hurting Germany. That is European nationalism; that is not the nationalism of which I am speaking to you today. I contend that each nationality constitutes a particular stream of the great unity, but no nation can fulfil itself unless and until it becomes itself and at the same time realises its identity with Humanity. The whole problem of nationalism is therefore to find that stream and to face that destiny. If you find the current and establish a continuity with the past, then the process of self-expression has begun, and nothing can stop the growth of nationality.

Throughout the pages of Indian history, I find a great purpose unfolding itself. Movement after movement has swept over this vast country, apparently creating hostile forces, but in reality stimulating the vitality and moulding the life of the people into one great nationality. If the Aryans and the non-Aryans met, it was for purpose of making one people out of them. Brahmanism with its great culture succeeded in binding the whole of India and was indeed a mighty unifying force. Buddhism with its protests against Brahmanism served the same great historical purposes and from Magadha to Taxila was one great Buddhistic empire which succeeded not only in broadening the basis of Indian unity, but in creating, what is perhaps not less important, the greater India beyond the Himalayas and beyond the seas, so much so that the sacred city where we have met may be regarded as a place of pilgrimage of millions and millions of people of Asiatic races. Then came the Mohammedans of divers races, but with one culture which was their common heritage. For a time it looked as if here was a disintegrating force, an enemy to the growth of Indian nationalism, but Mohammedans made their home in India, and while they brought a new outlook and a wonderful vitality to the Indian life, with infinite wisdom, they did as little as possible to disturb the growth of life in the villages where India really lives. This new outlook was necessary for India; and if the two sister streams met, it was only to fulfil themselves and face the destiny of Indian history. Then came the English with their alien culture, their foreign methods, delivering a rude shock to this growing nationality; but the shock has only completed the

unifying process so that the purposes of history is practically fulfilled. The great Indian nationality is in sight. It already stretched its hands across the Himalayas not only to Asia but to the whole of the world, not aggressively, but to demand its recognition, and to offer its contribution. I desire to emphasise that there is no hostility between the ideal of nationality and that of world peace. Nationalism is the process through which alone will world peace come. A full and unfettered growth of nationalism is necessary for world peace just as a full and unfettered growth individuals is necessary for nationality. It is the conception of aggressive nationality in Europe that stands in the way of world peace; but once the truth is grasped that it is no possible for a nation to inflict a loss on another nation without at the same time inflicting a loss on itself, the problem of Humanity is solved. The essential truth of nationality lies in this, that it is necessary for each nation to develop itself, express itself and realise itself, so that Humanity itself may develop itself, express itself, and realise itself. It is my belief that this truth of nationality will endure, although, for the movement, unmindful of the real issue the nations are fighting amongst themselves; and, if I am not mistaken it is the very instinct of selfishness and self-preservation which will ultimately solve the problem, not the narrow and the mistaken selfishness of the present but a selfishness universalised by intellect and transfigured by spirit, a selfishness that will bring home to the nations of the world that in the efforts to put down their neighbours lies their own ruin and suppression.

We have, therefore, to foster the spirit of Nationality. True development of the Indian nation must necessarily lie in the path of Swaraj. A question has often been asked as to what is Swaraj. Swaraj is indefinable and is not to be confused with any particular system of Government. There is all the difference in the world between Swaraj and Swarajya. Swaraj is the natural expression of the national mind. The full outward expression of that mind covers, and must necessarily cover, the whole life history of a nation. Yet it is true that Swaraj begins when the true development of a nation begins, because as I have said, Swaraj is the expression of the national mind. The question of

nationalism, therefore, looked at from another point of view, is the same question as that of Swaraj. The question of all questions in India today is the attainment of Swaraj.

Non-Violent Non-Cooperation

I now come to the question of method. I have to repeat that it has been proved beyond any doubt that the method of non-violent non-cooperation is the only method which we must follow to secure a system of Government which may in reality be the foundation of Swaraj. It is hardly necessary to discuss the philosophy of non-cooperation. I shall simply state the different viewpoints from which this question may be discussed. From the national point of view the method of non-cooperation means the attempt of the nation to concentrate upon its own energy and to stand on its own strength. From the ethical point of view, non-cooperation means the method of self-purification, the withdrawal from that which is injurious to the development of the nation, and therefore to the good of humanity. From the spiritual point of view, Swaraj means that isolation which in the language of *Sadhana* is called *protyahar*—that withdrawal from the forces which are foreign to our nature—an isolation and withdrawal which is necessary in order to bring out from our hidden depths the soul of the nation in all her glory. I do not desire to labour the point, but from every conceivable point of view, the method of non-violent non-cooperation must be regarded as the true method of "following in the path of Swaraj."

Force and Violence

Doubt has, however, been expressed in some quarters about the soundness of the principle of non-violence. I cannot refuse to acknowledge that there is a body of Indian opinion within the country as well as outside according to which non-violence is an ideal abstraction incapable of realisation, and that the only way in which Swaraj can ever be attained is by the application of force and violence. I do not for a moment question the courage, sacrifice and patriotism of those who hold this view. I know that some of them have suffered for the cause which they believe to be true. But may I be permitted to point out that

apart from any question of principle, history has proved over and over again the utter futility of revolutions brought about by force and violence? I am one of those who hold to non-violence on principle. But let us consider the question of expediency. Is it possible to attain Swaraj by violent means? The answer which history gives is, an emphatic "No." Take all the formidable revolutions of the world.

The French Revolution

The history of the French Revolution is the history of a struggle at the first instance between the Crown and the nobility on one side and the Representative Assemblies with armed Paris on the other. Both took to violence, one to the bayonet and the other to the pike. The pike succeeded because the bayonet was held with uncertain hands. And then, after the victory gained with violence, the popular party was sharply divided between two sections—the Girondins and the Jacobins. Again there was an appeal to force. The Girondins asked the provinces to rise in arms, the Jacobins asked Paris to rise in arms. Paris being nearer and stronger, the Girondins were defeated and sent to the guillotine—the Jacobins seized the power. But it did not take them many months to fall out among themselves. First Robespierre and Danton sent Hebert and Chaumette to the guillotine, then Robespierre sent Danton to the guillotine. Robespierre in his turn was guillotined by Collot, Billaud and Tallien. These men, again were banished by others to the far off South America. If there was a slight difference of views between the Girondins and the Jacobins—there was practically none between the different sections of the Jacobins. The whole question was which of the various sections was to rule France. Force gave way to stronger force and at last under Napolean France experienced a despotism similar to if not wrose than the despotism of Louis XIV. As regards liberty there was not more liberty in France under the terrible committee of Public Safety and Napoleon than under Louis XIV or Louis XV. The law of Prairial was certainly much wrose than Letters de Cachet. And the people? On the Pont au Change, on the Place do Greve, in long sheds, Mercier, at the end of the Revolution, saw working

men at their repast. One's allotment of daily bread had sunk to an ounce and a half." "Plates containing each three grilled herrings, sprinkled with shorn onions, wetted with a little vinegar; to this add some morsel of boiled prunes, and lentils swimming in a clear sauce; at these frugal tables I have seen them ranged by the hundred; consuming, without bread, their scant messes, far too moderate for the keenness of their appetite, and the extent of their stomach".' "Seine water" remarks Carlyle grimly—rushing plenteous by, will supply the deficiency." One cannot forget the exclamation of Carlyle in this connection :

"O Man of Toil" Thy struggling and thy daring, these six long years of insurrection and tribulation, thou hast profited nothing by it, then? Thou consumest thy herring and water, in the blessed gold-red of evening, O why was the Earth so beautiful, be crimsoned with dawn and twilight, if man's dealings with man were to make it a vale of scarcity, of tears, not even soft tears? Destroying of Bastilles, discomfiting of Brunswicks fronting of Principalities and Powers, of Earth and Tophet, all that thou hast dared and endured—it was for a Republic of the Saloons? Aristocracy of Feudal Parchment has passed away with a mighty; rushing and now, by a natural course, we arrive at Aristocracy of the Moneybag. It is the course through which all European Societies are, at this hour, travelling. Apparently a still baser sort of Aristocracy? An infinitely baser; the basest yet known."

Even today France is plodding her weary way towards Swaraj.

Revolutions in England

The history of England proves the same truth. The revolution of the Barons in 1215 took away or purported to take away the power from the King; but the power fell into the hands of the aristocracy, and democracy did not share in the triumph of the Barons. Thus the great Charter, as a great historian has observed, was thus not a Charter of Liberty but of liberties. The revolution in the reign of Charles-I pro-

duced a new dictator who suppressed freedom. The work which the Long Parliament began was interrupted by the revolution, which followed execution of the king and it required another revolution this time, a bloodless revolution, to complete the work. I deny that the work is yet complete. The continual class war and the obvious economic injustice do not proclaim that freedom which England claimed for herself. I maintain that no people has yet succeeded in winning freedom by force and violence. The truth is that love of power is a formidable factor to be reckoned with, and those who secure that power by violence will retain that power by violence. The use of violence degenerates them who use it, and it is not easy for them, having seized the power, to surrender it. And they find it easier to carry on the work of their predecessor, retaining power in their own hands. Non-violence does not carry with it that degeneration which is inherent in the use of violence.

Revolutions in Italy and Russia

The Revolutions in Italy and Russia illustrate the same principle. The Italian Revolution inspired by Mazzini and worked out by Garibaldi and Cavour, did not result in the attaiment of Swaraj. The freedom of Italy is yet in the making and the men and women of Italy are today looking forward to another revolution. If it results in a war of violence it will again defeat its purpose, but only to allow Freedom and Non-violence to triumph in the end.

The recent revolution in Russia is very interesting study. The shapes which it has now assumed is due to the attempts to force Marxian doctrines and dogmas on the unwilling genius of Russia, Violence will again fail. If I have read the situation accurately I expect a counter revolution. The soul of Russia must struggle to free herself from the socialism of Karl Marx. It may be an independent movement, or it may be that the present movement contains within itself the power of working out that freedom. In the meantime the fate of Russia is trembling in the balance.

Non-violent Non-cooperation the only Method

I believe in revolutions, but I repeat, violence defeats freedom. The revolution of non-violence is slower but surer. Step by step the soul of the nation emerges and step by step the nation marches on in the path of Swaraj. The only method by which Freedom can be attained in India at any rate, is the method of non-violent non-cooperation. Those who believe this method to be impracticable would do well to ponder over the Akali movement. When I saw the injuries of the wounded at Amritsar and heard from their lips that not one of them had even wished to meet violence by violence in spite of such grave provocation, I said to myself, "here was the triumph of non-violence."

Non-violence is not an ideal dream, It was not in vain that Mahatma declared "put up thy sword into the sheath". Let those who are "of the truth" hear his voice as those others heard a mightier voice two thousand years ago.

The attempt of the Indian nation to attain Swaraj by this method was, however, met by severe repression. The time has come for us to estimate our success as well as our failure. So far as repression is concerned, it is easy to answer the question. I have not the least doubt in my mind that the nation has triumphed over the repression that was started and continued to kill the soul of the movement.

Success of Non-violent Non-cooperation

But the question, which agitates most minds, is as to whether we have succeeded in our work of non-violent non-cooperation. There is, I am sorry to say, a great deal of confusion of thought behind the question. It is assumed that a movement must either succeed or fail, whereas the truth is that human movements, I am speaking of genuine movements, neither altogether succeed nor altogether fail. Every genuine movement proceeds from an ideal and the ideal is always higher than the achievement. Take the French Revolution. Was it a success? Was it a failure? To predicate either would be a gross historical blunder. Was

the non-cooperation movement in India a success? Yes, a mighty success when we think of the desire for Swaraj which it has succeeded in a awakening throughout the length and breadth of this vast country. It is a great success when we think of the practical result of such awakening, in the money which the nation contributed, in the enrolment of members of the Indian National Congress and in the boycott of foreign cloth. I go further and say that the practical achievement also consists of the loss of prestige suffered by Educational Institutions and the Courts of Law and the Reformed Councils throughout the country. If they are still resorted to, it is because of the weakness of our countrymen. The country has already expressed its strong desire to end these institutions. Yet it must be admitted that from another point of view, when we assess the measure of our success in the spirit of Arithmetic, we are face to face with "the petty done" and "the undone vast." There is much which remains to be accomplished. Non-violence has to be more firmly established. The work of non cooperation has to be strengthened, and the field of non-coopera tion has to be extended. We must be firm but responsible. The spirit of sacrifice h s got to be further strengthened, and we must proceed with the work of destruction and creation more vigorously than before. I say to our critics, I admit we have failed in many directions, but will you also not admit our success where we have succeeded?

Charge of Corrupting the Youths

We have been denounced by the Moderates for having corrupted the youth of the country. It has been asserted that we have taught sons to disobey their fathers, the pupils their teachers, and the subjects the Government. We plead guilty to the charge, and we rely upon every spiritual movement as argument in our support. Christ himself was tried for having corrupted the people, and the answer which he gave in anticipation is as emphatic as it is instructive.

"Think not that I am come to send peace on earth: I come not to send peace, but a sword."

"For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her mother-in-law."

Charge of Hypocrisy

It has been said that with love on our lips we have been preaching the gospel of hatred. Never was such a vile slander uttered. It may be we have failed to love, it may be we lost ourselves some of us, in hatred, but that only shows our weakness and imperfectness. Judge us by our ideal, not by what we have achieved. Wherever we have fallen short of that ideal put it down to our weakness. On behalf of the Indian National Congress I deny the charge of hypocrisy. To those who are ever anxious to point out our defects, I say with all humility, "my friends if we are weak, come and join us and make us stronger. If the leaders are worthless, come and join us to lead and the leaders will stand aside. If you do not believe in the ideal, what is the use of always criticising us in the light of that ideal?" We need no critic to tell us how far we have fallen short of that ideal. Evidence of weakness has met me from every direction in which I have looked but in spite of our defects of human weakness, of human imperfection, I feel bold enough to say that our victory is assured and that the Bureaucracy knows that our victory is assured.

How to Apply the Method of Non-violent Non-cooperation

But though the method of non-violent non-cooperation is sure and certain; we have now to consider how best to apply that method to the existing circumstances of the country. I do not agree with those who think that the spirit of the nation is so dead that non-violent non-cooperation is no longer possible. I have given the matter my earnest thought, and I desire to make it perfectly clear that there is absolutely no reason for entertaining any feelings of doubt or despair. The outward appearance of the people today is somewhat deceptive. They appear to be in a tired condition and a sense of fatigue has partially overcome them. But beneath all this exterior of quietude,

the pulse of the nation beats as strongly as before and as hopefully as at the beginning of this movement. We have to consolidate the strength of the nation. We have to devise a plan of work which will stimulate their energy so that; we can accelerate our journey towards Swaraj. I shall place before you one by one the items of work which, in my opinion, the Indian National Congress should prescribe for the nation.

Declaration of the Rights of Different Communities

The Congress should commence its work for the year by a clearer declaration of the rights of the different communities in India under the Swaraj Government. So far as the Hindus and the Mohammedens are concerned there should be a clear andemphatic confirmation of what is known as the Lucknow Compact, and along with that there should be an emphatic recognition of each other's rights, and each should be prepared to undergo some kind of sacrifice in favour of the other. Let me give an instance to make my meaning clear. Every devout Musalman objects to any music in front of a mosque and every devout and orthodox Hindu objects to cows being slaughtered. May not the Hindus and the Musalmans of India enter into a solemn compact so that there may not be any music before any mosque and that no cows may be slaughtered? Other instances may be quoted. There should be a scheme of a series of sacrifices to be suffered by each community so that they may advance shoulder to shoulder in the path of Swaraj. As regards the other communities such as Sikhs, Christians and Parsees, the Hindus and the Musalmans who constitute the bulk of the people should be prepared to give them even more than their proportional share in the Swaraj administration. I suggest that the Congress should bring about real agreement between all these communities by which the rights of every minority should be clearly recognised in order to remove all doubts which may arise and all apprehensions which probably exist. I need hardly add that I include among Christians not only pure Indians, but also Anglo-Indians and other people who have chosen to make India their home. Such an agreement as I have indicated was always necessary but such an agreement is specially necessary in view of the

Demands for Punjab Wrongs, Khilafat, Swaraj Etc.

We are on the eve of great changes, and the world forces are upon us. The victory of Kemal Pasha has broken the bond of Asia, and she is all astir with life. It is Prometheus who "spoke within her" and her "thoughts are like the many forests of vale through which the might of whirlwind and of rain had passed." The stir within every European country for the real freedom of the people has also worked a marvellous transformation in the mentality of subject races. That which was more or less a matter of ideal has now come within the range of practical politics. The Indian nation has found out its bearings. At such a time as this, it is necessary for us to reconsider and to restate our demands. Our demands regarding the Punjab wrongs have got to be restated because many of them have already been realised; our demands regarding Khilafat have got to be reconsidered because some of them have already been worked out, and we hope that before the Lausanne Commission has finished its work very little of it will remain unrealised. Our demand for Swaraj must now be presented in a more practical shape. The Congress should frame a clear scheme of what we mean by a system of Government which may serve as a real foundation for Swaraj. Hitherto, we have not defined any such system of Government. We have not done so advisedly as it was on the psychological aspect of Swaraj that we concentrated our attention. But circumstances today have changed. The desire is making us impatient. It is, therefore, the duty of the Congress to place before the country a clear scheme of the system of Government which we demand. Swaraj, as I have said, in indefinable and is not to be confused with any particular system of Government. Yet the national mind must express itself, and although the full outward expression of Swaraj covers the whole life history of a nation, the formulation of a such demand cannot be any further delayed.

Scheme of Government

It is hardly within the province of this address to deal with any detailed scheme of any such Government, I cannot, however,

allow this opportunity to pass without giving you an expression of my opinion as to the character of that system of Government, No system of Government which is not for the people and by the people can ever be regarded as the true foundation of Swaraj. I am firmly convinced that a Parliamentary Government is not a Government by the people and for the people. Many of us believe that the Middle Class must win Swaraj for the masses. I do not believe in the possibility of any class movement being ever converted into a movement for Swaraj. If today the British Parliament grants provincial autonomy in the provinces with responsibility in the Central Government, I for one, will protest against it, because that will inevitably lead to the concentration of power in the hands of the Middle Class. I do not believe that the Middle Class will then part with their power. How will it profit India, if in place of the white Bureaucracy that now rules over her, there is substituted an Indian Bureaucracy of the middle classes. Bureaucracy is Bureaucracy, and I believe that the very idea of Swaraj is inconsistent with the existence of a Bureaucracy. My ideal of Swaraj will never be satisfied unless the people co-operate with us in its attainment. Any other attempt will inevitably lead to what European Socialists call the "Bourgeoise" Government. In France and in England and in other European countries it is the middle class who fought the battle of freedom, and the result is that power is still in the hands of this class. Having usurped the power they are unwilling to part with it. If today the whole of Europe is engaged in battle of real freedom it is because the nations of Europe are gathering their strength to wrest this power from the hands of middle classes. I desire to avoid the repetition of that chapter of European history. It is for India to show the light to the world, —Swaraj by non-violence and Swaraj by the people.

To me the organisation of village life and the practical autonomy of small local centres are more important than either provincial autonomy or central responsibility; and if the choice lay between the two, I would unhesitatingly accept the autonomy of the local centres. I must not be understood as implying that the village centres will be disconnected units. They must be held together by a system of cooperation and integration.

For the present, there must be power in the hands of the provincial and the Indian Government; but the ideal should be accepted once for all, that the proper function of the central authority, whether in the Provincial or in the Indian Government is to advise, having a residuary power of control only in case of need, and to be exercised under proper safeguards. I maintain that real Swaraj can only be attained by vesting the power of Government in these local centres, and I suggest that the Congress should appoint a Committee to draw up a scheme of Government which would be acceptable to the nation.

The most advanced thought of Europe is turning from the false individualism on which European culture and institutions are based to what I know to be the ideal of the ancient village organisation of India. According to this thought modern democracy of the ballot box and large crowds has failed, but real democracy has not yet been tried. What is the real democracy of modern European thought?

The foundation of real democracy must be laid in small centres—not gradual decentralisation which implies a previous centralisation—but a gradual integration of the practically autonomous small centres into one living harmonious whole. What is wanted is a human state not a mechanical contrivance. We want the growth of institutions and organisations which are really dynamic in their nature and not the more static stability of a centralised state.

This strain of European thought found some expression in the philosophy of Hegel according to whom "human institutions belong to the region, not of inert externality, but of mind and purpose, and are therefore dynamic and self-developing".

Modern European thought has made it clear that from the individual to the "unified state," it is one continuous process of real and natural growth. Sovereignty (Swaraj) is a relative notion. "The individual is sovereign over himself"—attains his Swaraj—"in so far as he can develop, control and unify his manifold nature." From the individual we come to "integrated neighbourhood" which is the real foundation of the unified state

which again in its turn gives us the true ideal of the world-state. This integrated neighbourhood is great deal more than the mere physical contiguity of the people who live in the neighbourhood area. It requires the evolution of what has been called neighbourhood "consciousness." In other words, the question is "how can the force generated by the neighbourhood life be-become part of our whole civic and national life?" It is this question which now democracy takes upon itself to solve.

The process prescribed is the generation of the collective will. The democracy which obtains today rests on an attempt of securing a common will by a process of addition. This really means a war of wills, the issue being left to be decided by a mere superiority of numbers. New democracy discountenances this process of addition, and insists on the discovery of detailed means and methods by which the different wills of a neighbourhood entity may grow into one common collective will. This process is not a process of addition but of integration, and the consciousness of the neighbourhood thus awakened must express the common collective will of that neighbourhood entity. The collective wills of the several neighbourhood centres, must by a similar process of integration be allowed to evolve the common collective will of the whole nation. It is only thus, by a similar process of integration that any league of nations may be real and the vision of a world state may be realised.

The whole of this philosophy is based on the idea of the evolution of individual. The idea is to "release the powers of the individual." Ordinary notions of state have little to do with true individualism i.e., "with the individual as consciously responsible for the life from which he draws his breath and to which he contributes his all. According to this school of thought "representative Government, party organisation, majority rule with all their excrescences are dead-wood. In their stead must appear the organisation of non-partisan groups for the begetting, the bringing into being, of common ideas, a common purpose and the collective will." This means the true development and extension of the individual self. The institutions that exist today have made machines of men. No Government will

be successful, no true Government is possible which does not rest on the individual. "Upto the present moment," says the gifted authoress of *The New State*, we have never seen the individual yet. The search for him has been the whole long striving of our Anglo—Saxon history. We sought him through the method of representation and failed to find him. We sought to reach him by extending the suffrage to every man and then every woman and yet he eludes us. Direct Government now seeks the individual."

In another place of the same writer says: "Thus group organisation releases us from the domination of mere numbers, thus democracy transcends time and space. It can never be understood except as a spiritual force. Majority rule rests on numbers: democracy rests on the well grounded assumption that society is not a collection of units, but a network of human relations. Democracy is not worked out at the polling booths; it is the bringing forth of a genuine collective will, one to which every single being must contribute the whole of his complex life, as one which every single being must express the whole of at one point. Thus the essence of democracy is creating. The technique of democracy is group organisation." According to this school of thought no living state is possible without the development and the extension of the individual self. State itself is no static unit. Nor is it an arbitrary creation. "It is a process; a continual self-modification to express its different stages of growth in which each and all must be so flexible that continual change of form is twin-fellow of continual growth." This can only be realised when there is a clear perception that individuals and groups and the nation stand in no antithesis. The integration of all these into one conscious whole means and must necessarily mean the integration of the wills of individuals into the common and collective will of the entire nation.

The general trend of European thought has not accepted the ideal of this new democracy. But the present problems which are agitating Europe seem to offer no other solution. I have very little doubt that this ideal which appears to many practical politicians as impracticable will be accepted as the real ideal at

no distant future. "There is little yet" I again quote from the same author, "that is practical in practical politics."

The fact is that all the progressive movements in Europe have suffered because of the want of a really spiritual basis and it is refreshing to find that this writer has seized upon it. To those who think that the neighbourhood group is too puny to serve as a real foundation of Self-Government, she, says, "is our daily life profane and only so far as we rise out of it do we approach the sacred life? Then no wonder politics are what they have become. But this is not the creed of men today; we believe in the sacredness of our life; we believe that divinity is for ever incarnating in humanity, and so we believe in humanity and the common daily life of all men."

There is thus a great deal of correspondence between this view of life and the view which I have been endeavouring to place before my countrymen for the last 15 years. For the truth of all truths, is that the outer *Leela* of God reveals itself in history. Individual, Society, Nation, Humanity are the different aspects of that very *Leela* and scheme of self-Government which is practically true and which is really practical can be based on any other Philosophy of life. It is the realisation of this truth which is the supreme necessity of the hour. This is the soul of Indian thought, and this the ideal towards which the recent thought of Europe is slowly but surely advancing.

To frame such a scheme of Government regard must, therefore, be had—

(1) to the formation of local centres more or less on the lines of the ancient village system of India;

(2) the growth of larger and larger groups out of the integration of these village centres;

(3) the unifying state should be the result of similar growth;

(4) the village centres and the larger groups must be practically autonomous;

(5) the residuary power of control must remain in the cent-

ral government but the exercise of such power should be exceptional and for that purpose proper safeguard should be provided, so that the practical autonomy of the local centres may be maintained and at the same time the growth of the Central Government into a really unifying state may be possible. The ordinary work of such Central Government should be mainly advisory.

As a necessary corollary to what I have ventured to suggest as the form of Government which we should accept, I think that the work of organising these local centres should be forthwith commenced. The modern subdivisions or even smaller units may be conveniently taken as the local centres, and larger centres may be conveniently formed. Once we have our local areas—"The neighbourhood group"—we should foster the habit of corporate thinking, and leave all local problems to be worked out by them. There is no reason why we should not start the Government by these local centres today. They would depend for their authority on the voluntary cooperation of the people, and voluntary cooperation is much better than the compulsory cooperation which is at the bottom of the Bureaucratic rule in India. This is not the place to elaborate the scheme which I have in mind; but I think that is essentially necessary to appoint a Committee with power, not only to draw up a scheme of Government but to suggest means by which the scheme can be put in operation at once.

Boycott of Council

The next item of work to which I desire to refer is the boycott of Councils. Unhappily the question has become part of the controversy of change or no-change. To my mind the whole controversy proceeds on a somewhat erroneous assumption. The question is not so much as to whether there should be a change in the programme of the work; the real question is whether it is not necessary now to change the direction of our activities in certain respect for the success of the very movement which we hold so dear. Let me illustrate what I mean. Take the Bardoli Revolution. In the matter of boycott of schools

and colleges the Bardoli Resolution alters the direction of our activity, which does not in any way involve the abandonment of the boycott. During the Swaraj year the idea was to bring the students out of Government schools and colleges, and if National schools were started they were regarded as concessions to the "weakness" of those students. The idea was, to quote the words of Mahatma Gandhi, "political" and not "educational." Under the Bardoli Resolution, however, it is the establishment of schools and colleges which must be the main activity of national education. The idea is "educational," and if it still be the desire of the Congress to bring students of Government schools and colleges, it is by offering them educational advantages. Here the boycott of schools and colleges is still upheld, but the direction of our activities is changed. In fact, such changes must occur in every revolution, violent or non-violent, as it is only by such changes that the ideal is truly served.

In the next place, we must keep in view the fact that according to unanimous opinion of the members of the Enquiry Committee, Civil Disobedience on a large scale is out of question, because the people are not prepared for it.

I confess that I am not in favour of the restrictions which have been put upon the practical adoption of any system of civil disobedience, and in my opinion, the Congress should abolish those restrictions. I have not yet been able to understand; why to enable a people to civilly disobey particular laws, it should be necessary that at least 80 per cent of them should be clad in pure "Khadi." I am not much in favour of general Mass Civil Disobedience. To my mind, the idea is impracticable. But the disobedience of particular laws which are eminently unlawful, laws which are the creatures of "law and order," laws which are alike an outrage on humanity and an insult to God, disobedience of such laws is within the range of practical politics and, in my opinion, every attempt should be made to offer disobedience to such laws. It is only by standing on truth that the cause of Swaraj may prevail. When we submit to such laws, we abandon the plank of truth. What hope is there for a nation so dead to the sense of truth as not to rebel against

lawless laws against regulations which insure their national being and hamper their national development?

I am of opinion that the question of the boycott of Council which is agitating the country so much must be considered and decided in the light of the circumstances I have just mentioned. There is no opposition in idea between such civil disobedience as I have mentioned and the entry into the Councils for the purpose and with the avowed object of either ending or mending them. I am not against the boycott of Councils. I am simply of opinion that the system of the Reformed Councils with their steel-frame of the Indian Civil Service covered over by a *dyarchy* of deadlocks and departments, is absolutely unsuitable to the nature and genius of the Indian nation. It is an attempt of the British Parliament to force a foreign system upon the Indian people. India has unhesitatingly refused to recognise this foreign system as a real foundation for Swaraj. With me, as I have often said, it is not a question of more or less; I am always prepared to sacrifice much for a real basis of Swaraj, nor do I attach any importance to the question as to whether the attainment of full and complete independence will be a matter of 7 years, or 10 years, or 20 years. A few years is nothing in the life history of a nation. But I maintain that India cannot accept a system such as this as a foundation of our Swaraj. These Councils must, therefore. be either mended or ended.

Hitherto we have been boycotting the Councils from outside. We have succeeded in doing much. The prestige of the Councils is diminished, and the country knows that the people who adorn those chambers are not the true representatives of the people. But though we have succeeded in doing much, these Councils are still there. It should be the duty of the Congress to boycott the Councils more effectively from within. Reformed Councils are really a mask which the Bureaucracy has put on. I conceive it to be our clear duty to tear this mask from off their face. The very idea of boycott implies, to my mind, something more than mere withdrawal. The boycott of foreign goods means that such steps must be taken that there may be no foreign goods in our markets. The boycott of the Reformed

Councils, to my mind, means that such steps must be taken that these Councils may not be there to impede the progress of Swaraj. The only successful boycott of these Councils is either to mend them in a manner suitable to the attainment of Swaraj or to end them completely. That is the way in which I advise the nation to boycott the Councils.

A great deal of discussion has taken place in the country as to whether the boycott of Councils in the sense in which I mean it, is within the principle of non-violent non-cooperation. I am emphatically of opinion that it does not offend against any principle of non-cooperation which has been adopted and applied by the Indian National Congress. I am not dealing with logical or philosophical abstractions. I am only dealing with that which the Congress has adopted and called non-cooperation. In the first place, may I point out that we have not up to now non-cooperated with the Bureaucracy? We have been merely preparing the people of this country to offer non-cooperation. Let me quote the Nagpur resolution on non-cooperation in support of my proposition. I am quoting only the portions which are relevant to this point.

"Whereas in the opinion of the Congress the existing Government of India has forfeited the confidence of the country, and, whereas the people of India are now determined to establish Swaraj, now this Congress declare that the entire or any part or parts of the scheme of non-violent non-cooperation with the renunciation of voluntary association with the present Government at one end, and the refusal to pay taxes at the other, should be put into force at a time to be determined by either the Indian National Congress, or the All-India Congress Committee and that, in the meanwhile to prepare the country for it, effective steps should continue to be taken in that behalf."

Then follows the effective steps such as national education, boycott of law courts, boycott of foreign goods, etc., which must be taken "in the meanwhile." It is clear therefore that the Congress has not yet advocated the application of non-cooperation but has merely recommended certain steps to be taken, so

that, at some time or other, to be determined by the Congress, the Indian nation may offer non-cooperation. In the second place, let us judge the character of this principle, not by thinking any of logical idea or philosophical abstraction, but by gathering the principle from the work and the activity which the Congress has enjoyed. When I survey that work, it is clear to my mind, that the Congress was engaged in a twofold activity. In everything that the Congress commanded there is an aspect of destruction as there is an aspect of creation. The boycott of lawyers and law courts means the destruction of existing legal institutions; and the formation of Panchayats means the creation of agencies through which justice may be administered. The boycott of schools and colleges means the destruction of the department of Education; and the establishment of National schools and colleges means the creation of educational institutions for the youth of India. The boycott of foreign goods followed as it was by the burning of foreign cloth means the destruction of the foreign goods already in the country and the preventing in future of foreign goods coming into the country. But on the other hand, the spinning wheel and the looms mean creative activity in supplying the people with indigenous cloth. Judged by this principle, what is wrong about the desire either to convert the Councils into institutions which may lead us to Swaraj or to destroy them altogether? The same twofold aspect of creation and destruction is to be found in the boycott of Councils in the way I want them to be boycotted.

It has also been suggested that it offends against the morality and spirituality of this movement. Let us take the two points separately. As regards the question of morality apart from the ethics of Non-cooperation, it has been urged that entering the Councils for the purpose of ending the Councils is unfair and dishonest. The argument implies that the Reformed Councils belong entirely to the Bureaucracy and the idea is that we should not enter into other people's property with a view to injure it. To my mind, the argument is based on a misconception of facts. Inadequate as the Reforms undoubtedly are, I do not for a moment admit that the Reforms Act was a gift of the British Parliament. It was, to quote the words of Mahatma Gandhi, "a

concession to popular agitation." The fact is that it is the resultant of two contending forces, the desire of the people for freedom and the desire of the Bureaucracy to oppose such desire. The result is that it has travelled along lines neither entirely popular nor entirely bureaucratic. The people of India do not like these Reforms, but let us not forget that the Bureaucracy does not like them either. Because it is the result of two contending forces pulling in different directions, the Reforms have assumed a tortured shape. But so far as the rights recognised are concerned, they are our rights—our property—and there is nothing immoral or unfair or dishonest in making use of the rights which the people have extorted from the British Parliament. If the fulfilment of the very forces which have succeeded in securing the Reforms require that the Councils should either be mended or ended, if the struggle for freedom compels the adoption of either course, what possible charge of immorality can be levelled against it? I admit if we had proposed to enter the Councils stealthily with the avowed object of cooperation but keeping within our hearts the desire to break the Councils, such a course would undoubtedly have been dishonest. European diplomacy, let us hope, has been abolished by the Indian National Congress under the leadership of Mahatma Gandhi. If we play now, we play with all our cards on the table.

But some people say that it is immoral from the point of view of non-cooperation, because it involves an idea of destruction. The work of non-cooperation according to these patriots —I have the highest reverence for them—is only to build our national life ignoring altogether the existence of the Bureaucracy. It may be an honest ideal, and logically speaking, it may be the inner meaning of non-cooperation. But the non-cooperation which the Congress has followed is not so logical and I claim that if the principle of non-cooperation is to be advanced as a test of my programme, let it be the same principle which the Congress has accepted, adopted and applied. As I have already said, that principle countenances destruction as well as creation. As a matter of fact, circumstances as we are with the Bureaucracy to the right and the Bureaucracy to the left,

Bureaucracy all round us, it is impossible to create without destroying; nor must it be forgotten that if we break, it is only that we may build.

It has also been suggested that the entry into the Councils is inconsistent with the ideal of non-cooperation. I confess I do not understand the argument. Supposing the Congress had sanctioned an armed insurrection, could it be argued that entry into the fort of the Bureaucracy be inconsistent with the principle of non-cooperation? Surely the charge of inconsistency must depend on the object of the entry. An advancing army does not cooperate with the enemy when it marches into the enemy's territory. Cooperation or non-cooperation must, therefore, depend on the object with which such entry is made. The argument if analysed, comes to this that whenever the phrase "entry into Councils" is used it calls up the association of cooperation, and then the mere idea of this entry is proclaimed to be inconsistent with non-cooperation. But this is the familiar logical fallacy of four terms. Entry into the Council to cooperate with the Government and entry into the Councils to non-cooperate with Government are two terms and two different propositions. The former is inconsistent with the idea of non-cooperation, the latter is absolutely consistent with that very idea.

Next let us understand the opposition from the point of view of the spirituality of our movement. The question of spirituality is not to be confused with the dictates of any particular religion. I am not aware of the injunctions of any religion against entering the Councils with a view either to mend them or end them. I have heard from many Mohammedans that the Koran lays down no such injunction. Other Mohammedan friends have told me that there may be some difficulty on that ground, but that is a matter with regard to which I am not competent to speak. The Khilafat must answer that question with such assistance as they may obtain from the Ulema. It is needless to point out that should the Ulema come to the conclusion that under the present circumstances it would be an offence against their religion to enter the Councils the Congress should unhesitatingly accept their decision, because no work in this country

towards the attainment of Swaraj is possible without the hearty cooperation of both Hindus and Musalmans. But I am dealing with that spirituality which does not affect any particular religion. Judged from the standpoint of such spirituality what objection can there be in removing from our path by all legitimate means any obstacle to the attainment of Swaraj? We burned foreign cloth without a scruple, and the spirituality of the movement did not receive a shock when we burned them. It is as well to start with a clear conception as to what that spirituality is. Apart from any creedal or doctrinal injunction and apart from any question of morality, the basis of spirituality must be the attainment of freedom and of Swaraj. What is the duty which every human being owes not only to his race, not only to his nation, not only to humanity but also to his God? It is the right to fulfil oneself. It is the duty of living in the light of God. Shortly after my release from imprisonment, I said in a public speech that all our national activities should be based on truth. Ever since that day questions and conundrums have been put to me. I have been asked to define what is truth. It has also been suggested that because I dared not tell the truth that I took refuse under the general expression. I still insist that our national activities must be based on truth. I repeat that I do not believe in politics, or in making water-tight compartments of our national life which is an indivisible organic whole. I repeat that as you cannot define life, you cannot define truth. The test of truth is not logical definition. The test of truth lies in its all compelling force in making itself felt. You know truth when you have felt it. God cannot be defined, nor can truth, because truth is the revelation of God. Two thousand years ago, a jesting judge asked the same question of the Son of God. He made no answer by word of mouth; but he sacrificed himself and Truth was revealed. When I speak of spirituality I speak of the same truth. I look upon history as the revelation of God. I look upon human individual personality, nationality and humanity each contributing to the life of the other as the revelation of God to man. I look upon the attainment of freedom and Swaraj the only way of fulfilling oneself as individuals, as nations. I look upon all national activities as the real foundation of the service of that greater humanity which again is

the revelation of God to man. The son of God brought to the world not peace but a sword—not the peace of death and immorality and corruptions but the "separating sword" of Truth. It is only thus that freedom can be attained. Whatever obstacles there may be in the path of Swaraj either of the individual or of the nation or humanity at large, these obstacles must be removed by the individual if he desires his freedom by the nation if that nation desires to fulfil itself, by all the nations of the world if the cause of humanity is to prosper. That being the spirituality of the movement as I understand it, I am prepared to put away all obstacles that lie between the Indian nation and the attainment of its freedom, not stealthily not openly, reverently in the name of truth and God. Judged from this ideal of spirituality the entry into the Councils for the purpose I have stated is necessary to advance the cause of truth. Everything in connection with the controversy must be judged by that standard.

With regard to the question of oath all that I need say at present is this, that apart from the dictates of any particular religion which I do not propose to deal with, the question does not present any difficulty at all. The oath is a constitutional one. The king stands for the constitution. Great changes in the constitution have taken place in England under that very oath. Now, what is the oath? It binds those who take it—first not to make any use of powers which are not allowed by the Reforms Act; secondly to discharge their duties faithfully. So far as the first point is concerned, there is nothing in my suggestion which militates against it. So far as the second point is concerned, I am aware that a forced interpretation has been sought to be put upon it, namely, that a member taking the oath is bound to discharge his duties faithfully to the Bureaucracy. All that I need say is, that there is no constitutional authority of any kind to justify that interpretation. To my mind, the words mean a faithful discharge of a member's duties to his constituency by the exercise of powers recognised under the Reforms Act. I do not, therefore, understand what possible objection there may be to take the oath. But there again the question does not arise at present.

Various other questions have been asked as to whether it is possible to secure a majority and as to what we should do supposing we are in a majority. I think it possible that having regard to the present circumstances of the country, the Non-co-operators are likely to get the majority. I am aware of the difficulty of the franchise, I am aware of the rules which prevent many of us from entering the Councils; but making every allowances for all these difficulties, I believe that we shall be in the majority. But here also the question doesn't arise till we meet in the Congress of 1923 when the matter may be discussed not on suppositions but on actualities.

As regards the question as to what we should do if we have the majority the answer is clear. We should begin our proceedings by a solemn declaration of the existence of our inherent right, and by a formal demand for a constitution which would recognise and conserve those rights and give effect to our claims for the particular system of Government which we may choose for ourselves. If our demands are accepted, then the fight is over. But as I have often said, if it is conceded that we are entitled to have that form of Government which we may choose for ourselves, and the real beginning is made with that particular form of Government in view, then it matters nothing to me whether the complete surrender of power is made to us to-day, or in five years or even in twenty years. If, however, our demand is not given effect to, we must non-cooperate with the Bureaucracy by opposing each and every work of the Council. We must disallow the entire Budget. We must move the adjournment of the House on every possible occasion; and defeat every Bill that may be introduced. In fact, we must so proceed that the Council will refuse to do any work unless and until our demands are satisfied, I am aware of the large powers of certication which Governors can exercise under the Reforms Act. But Government by certification is just as impossible as Government by Veto. Such procedure may be adopted on a few occasions. The time must soon come when the Bureaucracy must yield or withdraw the Reforms Act. In either case it is a distinct triumph for the nation, and either course, if adopted by the Bureaucracy, will bring us nearer to the realisation of our ideal.

Another question is often asked suppose we end these Reformed Councils—what then? Could not the same question be asked with regard to every step the Congress has hitherto undertaken in the way of breaking, of destroying institutions. If we had succeeded in destroying the educational Department, might not somebody ask—what then? If we had succeeded in destroying the legal institutions, might not the question be put with equal relevance? The fact is, destruction itself willl never bring us Swaraj. The fact further is that no construction is possible without destruction. We must not forget that it is not this activity or that activity which by itself can bring Swaraj. It is the totality of our national activity in the way of destruction and in the way of creation, that will bring Swaraj. If we succeed in demolishing these Reformed Councils you will find the whole nation astir with life. Let them put other obstacles in our way; we shall remove them with added strength and greater vitality.

It has also been suggested that the Bureaucracy will never allow the Non-cooperators to enter the Councils,—they wil alter the rules to prevent such entry. I cannot conceive of anything better calculated to strengthen the cause of non-cooperation than this. If any such rule is framed, I should welcome it and again change the direction of our activity. The infant nation in India requires constant struggle for its growth and development. We must not forget that a great non-violent revolution is on the land, and we shall change the direction of our activities as often as circumstances require it. Today the Councils are open and we must attack them—tomorrow if the Councils are closed, we must be prepared to deal with the contingency when it arises. What do we do when it pours with rain? We turn our umbrella in the direction from which the water comes. It is in the same way that we must turn the direction of our activities whenever the fulfilment of our national life demands it.

The work of the Councils for the last two years has made it necessary for non-cooperators to enter the Councils. The Bureaucracy has received added strength from these Reformed Councils, and those who have entered the Councils speaking generally, have practically helped the cause of Bureaucracy.

What is most necessary to consider is the fact that the taxation has increased by leaps and bounds. The expenditure of the Government of India has grown enormously since the pre-war year 1913-14. In that year the total expenditure of the Government of India amounted to 79 crores and 37 lakhs; in 1919-20, it rose to 138 crores, and in 1920-21, the first year of the reformed system of administration, it stood at 149 crores. The expenses of the current year are likely to be even higher. To meet the successive increase in expenditure additional taxation was levied in 1916-17, 1917-18, 1919-20, 1921-22, and 1922-23. We may prepare ourselves for proposals for further additional taxation in the ensuing year. In spite of the additional taxation, seven out of the last nine years have been years of deficit.

The increase in military expenditure is chiefly responsible for the present financial situation. In 1913-14 the expenses of this department amounted to about 31.5 crores, in the 1919-20, after the conclusion of the war they mounted up to 87.5 crores, and in 1920-21, they stood at 88.5 crores. As Sir Visvesarya remarks, the expenses under the head "Civil Administration" also have shown a perpetual tendency to increase. As a part and parcel of the Reform Scheme, the emoluments of the members of the Indian Civil Service, the Indian Educational Service, the Indian Medical Service and of all the other services recruited in England have been enormously increased; and to maintain some kind of fairness the subordinate services which are manned by Indians have also been increased.

The financial situation in the provinces is not much better. Under the financial arrangements of the Reform Scheme, the provinces of India, taken together secured an accession to their resources of about 11 crores of rupees. Besides, the provinces had between them in 1920-21 a total accumulated balance of 21 crores and 68 lakhs. But so great has been the increase in provincial expenditure during the last two years that even those provinces which had hoped to realise large surpluses are now on the verge of bankcruptcy. In the first year of the reform era most of the provinces were faced with deficits and were just able to tide over their financial difficulties by drawing upon

gle of Swaraj. I deny the assumption. My experience has convinced me that Labour and the Peasantry of India today are, if anything, more eager to attain Swaraj than the so-called middle and educated classes. If we are "exploiting" boys of tender years and students of colleges if we are "exploiting" the women of India, if we are "exploiting" the whole of the middle classes irrespective of their creed and caste and occupation. May I ask what justification is there for leaving out Labourers and the Peasants? I suppose the answer is that they are welcome to be the members of the Congress Committees but that there should not be a separate organisation of them. But Labour has got a separate interest and they are often oppressed by a class of men who are the standard bearers of the Bureaucracy. Is the service of this special interest in any way antagonistic to the service of nationalism? To find bread for the poor to secure justice to the class of people who are engaged in a particular trade or avocation—how is that work any different from the work of attaining Swaraj. Anything which strengthens the national cause, anything which supports the masses of India is surely as much a matter of Swaraj as any other item of work which the Congress has in hand. My advice is that the Congress should lose no time in appointing a Committee, a strong workable Committee, to organise Labour and the Peasantry of India. We have delayed the matter already too long. If the Congress fails to do its duty, you may expect to find organisations set up in country by Labourers and Peasants detached from you dissociated from the cause of Swaraj, which will inevitably bring within the arena of the peaceful revolution class struggles and the war of special interests. If the object of the Congress be to avoid that disgraceful issue let us take Labour and the Peasanty in hand, and let us organise them both from the point of view of their own special interest and also from the point of view of the higher ideal which demands satisfaction of their special interests and the devotion of such interest to the cause of Swaraj. Here again we have to make use of the very selfishness of Labourers and Peasants as we know that the fulfilment of that very selfishness requires its just and proper contribution to the life of the nation.

Work Already Taken Up

I now turn to the work which the Congress has already taken up. I may at once point out that it is not my desire that any work which the Congress has taken up should be surrendered. The change of direction which I advocate and the other practical change which I have mentioned is not by way of surrendering anything that is already on the plank, but it is simply by way of addition.

Boycott of Schools and Colleges

I am firmly of opinion that the boycott of schools and colleges should be carried on as effectively as before. I differ from the Civil Disobedience Enquiry Committee when they propose the abandonment of the withdrawal of the boys from such Schools and Colleges. The question to my mind is of vital importance. It is on the youth of the country that the cause of Swaraj largely depends and what chance is there for a nation which willingly, knowingly sends its boys its youngmen to Schools and Colleges to be stamped with the stamp of slavery and foreign culture. I do not desire to enter into the question more minutely. I have expressed my views on the subject so often that I find it unnecessary to repeat them. I, however, agree with the recommendations of the Enquiry Committee that National School and Colleges should also be started.

Boycott of Law Courts and Lawyers

With regard to the question of the boycott of lawyers and legal institutions I agree with the main recommendations of the Committee. Many questions have been raised as to whether the right of defence should be allowed or not, and on what occasions, and for what purposes. I have never been in love with formal rules and I think it impossible to frame rules which will cover all the circumstances which may arise in particular cases. All that I desire to insist on, is the keeping in view of the principle of the boycott of courts.

Hindu-Muslim Unity

With regard to the questions of Hindu-Muslim unity, un-

touchability and such matters I agree with the recommendations of the Enquiry Committee. I desire to point out, however, that true unity of all sections of the Indian nation can only be based on a proper co-operation and the recognition by each section of the rights of the others—that is why, I propose that there should be a compact between the different sections, between different communities of India. We will do little good to the section known as untouchables if we approach them in a spirit of superiority. We must engage them in the work before us and we must work with them side by side and shoulder to shoulder.

Khaddar

I now come to the question of Khaddar which I regard as one of the most important questions before us. As I have already said, I am opposed to the manufacture of Khaddar on a commercial basis. I said among other things when I seconded the Bezwada resolution on the 31st of March, 1921 proposed by Mahatma Gandhi :

"Our reason in asking the people to take to the Charkha was not based upon any desire to enter into any competition with foreign capitalist production either from without or from within. Our idea is to enable the people to understand and fashion for themselves their economic life and utilize the spare time of their families and opportunities with a view to create more economic goods for themselves and improve their own eondition." The idea is to make the people of this country self-reliant and self-contained. This work is difficult but essential and should be carried on with all our strength. I would much rather that few families were self-contained than factories were started on a large scale. Such factories represent a short-sighted policy, and there is no doubt that though it would satisfy the present, need it will create an evil which it would be difficult to eradicate. I am naturally opposed to the creation of a new Manchester in India of which we have had sufficient experience. Let us avoid that possibility, if we can."

It is often stated that Khaddar alone will bring us Swaraj. I

ask my countrymen in what way is it possible for Khaddar to lead us to Swaraj? It is in one sense only that the statement may be true. We must regard Khaddar as the symbol of Swaraj. As the Khaddar makes us self-contained with regard to a very large department of our national life so it is hoped that the inspiration of Khaddar will make the whole of our national life self-contained and independent. That is the meaning of the symbol. To my mind, such symbol worship requires the spreading out of all non-cooperation activities in every possible direction. It is thus and only thus that the speedy attainment of Swaraj is possible.

Conclusion

It remains for me to deliver to you the last message of hope and confidence. There is no royal road to Freedom, and dark and difficult will be the path leading to it. But dauntless is your courage, and firm your resolution; and though there will be reverses, sometimes severe reverses, that will only have the effect of speeding your emancipation from the bondage of a foreign government. Do not make the mistake of confusing achievement with success. Achievement is an appearance and appearances are often deceptive. I contend that though we cannot point to a great deal as the solid achievement of the movement, the success of it is assured. That success was proclaimed by the Bureaucracy in the repeated attempts which were made, and are still being made, to crush the growth of the movement, and to arrest its progress, in the refusal to repeal some of the most obnoxious of the repressive legislations, in the frequent use that has been made of the arbitrary or discretionary authority that is vested in the executive government, and in sending to prison our beloved leader who offered himself as a sacrifice to the wrath of the Bureaucracy. But though the ultimate success of the movement is assured, I warn you that the issue depends wholly on you, and on how you conduct yourselves in meeting the forces that are arrayed against you. Christianity rose triumphant when Jesus of Nazareth offered himself as a sacrifice to the excessive worship of law and order by the Scribes and the Pharisees. The forces that are arrayed against you are the forces,

not only of the Bureaucracy, but of modern Scribes and Pharisees whose interest it is to maintain the Bureaucracy in all its pristine glory. Be it yours to offer yourselves as sacrifices in the interest of truth and justice, so that your children and your children's children may have the fruit of your suffering. Be it yours to wage a spiritual warfare so that the victory, when it comes, does not debase you, nor tempt you to retain the power of Government in your own hands. But if yours is to be a spiritual warfare, your weapons must be those of the spiritual soldier. Anger is not for you, hatred is not for you; nor for you is pettiness, meanness or falsehood. For you is the hope of dawn and the confidence of the morning, and for you is the song that was sung of Titan, chained and imprisoned, but the Champion of Man, in the Greek fable :

To suffer woes which Hope thinks infinite;
To forgive wrongs darker than death or night;
To defy power, which seems omnipotent;
To love, and bear; to hope till Hope creates;
From its own wreck the thing it contemplates;
Neither to change, nor falter, nor repent;
This, like thy glory, Titan, is to be;
Good, great and joyous, beautiful and free;
This is alone Life, Joy, Empire and Victory.

PART II

BRITISH COLONIAL INTERPRETATIONS AND PRONOUNCEMENTS

11

DEFENCE OF IMPERIALISM*

What Happened to India

The Bengal Famine of 1770 was the first, but also the worst, of the consequences of the British conquest. For it would be totally wrong to suggest that those first fifteen terrible years, from 1757 to 1772, in Bengal, were representative of what British rule in India as a whole was to become. In 1772, the process of the improvement and reform of the British regime may be said to have begun. In that year Warren Hastings returned to Bengal as the first Governor-General of what was in fact, although not yet in name, this vast new British colony. And he at once set in hand, as he had to do in mere self-preservation, an attempt to rescue the province by reforming the British administration.

Hastings was a far more interesting figure than Clive. It is characteristic of the man that controversy still echoes, if now only amongst the historians, over his reputation and his record. Brilliant, scholarly, brave, arbitrary, financially lax (sometimes even to his own disadvantage), loving India, conquering India, enriching India, despoiling India, this strange man stands out as the first, and perhaps the only, fascinating figure amongst the long, stiff line of Governor-Generals who came and went over the next hundred and seventy-five years. Nor has his memory faded even yet from Bengal. In 1956 one of the most distinguished of her present-day citizens, a principal author of India's Second Five Year Plan, introduced me to another distinguished public servant of Bengal, who, I was informed, was a direct

*From John Strachey : *The End of Empire*, Chapters III, IV.

descendant of Hasting's *Diwan*, or principal Indian executive officer. Talking with these twentieth-century Indian citizens of a once more independent India, I sensed a warmth in their attitude to Hastings as compared with almost any other public figure of the British period.[1] This was not indeed because Hastings abstained in any degree from imperialist policies : on the contrary, he was one of the greatest and one of the most aggressive of empire-builders.

Hastings was arraigned at his seven years' trial in Westminster Hall for all the wrong reasons. It is impossible, and also fundamentally unimportant, even to-day to decide on just how badly or how well he treated "the Begums of Oude", or to prove whether the hanging of Nundkomar was an astonishingly lucky accident or (far more probably) a cold and resolute counter-thrust in his desperate struggle with his colleagues, or whether his Rohilla War was more or less justified than the dozens of other such wars which the British regime indulged in during the whole two-hundred-year period of its existence. At that time and place Hastings could not conceivably have been anything else but an imperialist. Burke and Fox and Francis, and all the rest of his accusers, could only logically have condemned him if they had condemned the British conquest also. Granted the imperialist premise, Hastings was probably one of the most enlightened (if by no means the most scrupulous) of imperial rulers. He was far more genuinely concerned with the welfare of the conquered people than any other of his contemporaries : indeed, he was the first of the conquerors to feel any such concern. The evolution of British rule in India into something which was not wholly rapacious and destructive begins with his Governor-Generalship.

In this work of reformation, however, Hastings was only the

1, Perhaps Ripon in the last century and Halifax in this, amongst the Viceroys, may also to some extent be warmly remembered. And at the end Mountbatten certainly earned and received true Indian affection. How curious that it should be the very first and the very last of the Viceroys who succeeded in appealing to Indian hearts.

first of a long series of able men, including his immediate successors, Cornwallis, Shore, Wellesley, and Lord Hastings. Moreover, they were in a position to accomplish much more than he. And yet it is he who is remembered in Bengal. Nor, I think, is the reason far to seek. What was unique in Hastings amongst Governor-Generals was not that he was a reformer, but that he was an intellectual. He was that rare and usually uncomfortable being, an intellectual functioning as a man of action. But it was just this which made him revered in India. He was revered and is remembered because he was one of the first Englishmen to appreciate Indian culture, to learn Hindustani and Persian, and to promote the first Sanskrit translations. (He wrote, for example, an introduction to the first translation of the Gita.) His repute rests, I think, above all, on what he was *not*: on the fact that he was not an ordinary, straightforward, normal, hearty Englishman. With his adored German divorcee wife, his personal frugality and physical ascetism, his endless entertaining, his financial lavishness, his learning, and above all his utter lack of racial intolerance, he was far more sympathetic to his Indian contemporaries than the virtuous but frigid noblemen who succeeded him. In old age Hastings said that he had loved India a little better than his own country. It may well have been true. A man may stay to love what he comes to rape. Above all, he loved not only India, as many a stolid nineteenth and twentieth-century sahib was to do; he loved Indians.

With the Governor-Generalship of Hastings the possibility at least of a constructive and beneficial, as well as a plundering and devastating, side to British rule became apparent. And in a few decades more this possibility began to become a reality. In the nineteenth century the British role in India continued, indeed, to be destructive of the pre-existing Asiatic economy and society which it had encountered; but it also began to lay down the basis of a new economy and society such as had never existed before in Asia. It may be well to cite a witness for this positive aspect of British rule who will hardly be accused of partiality for the occupying power. The first analyst of what he

called the "at once destructive and regenerative" rôle of the British in India was Marx.

Marx, in his capacity as world historian and world theorist, could not help being engrossed by that major phenomenon of his times, the British empire in India. He was at pains to emphasise that, even on its destructive side, the British conquest of India had performed a function, however brutally, which had somehow to be performed. He had given in *Capital* (Vol. I, Chap. XIV) an attractive characterisation of the self-sufficient Indian village communities which the coming of, first, British pillaging commerce and, later, British machine-made products, were destroying. Nevertheless he could not regret the destruction of these communities, agonising as the process might be. For he saw that India could never grow till *something* broke through her age-old, static, social basis. He wrote a series of articles for the *New York Daily Tribune* entitled "The Future Results of British Rule in India". In a characteristically formidable passage he gave a balance-sheet of the loss and gain involved in the destruction of the village communities under the British sledgehammer.

> "Sickening as it must be to human feeling to witness those myriads of industrious, patriarchal and inoffensive social organisations dis-organised and dissolved into their units, thrown into a sea of woes, and their individual members losing at the same time their ancient form of civilisation and their hereditary means of subsistence, we must not forget that these idyllic village communities, inoffensive though they may appear, had always been the solid foundation of Oriental despotism, that they restrained the human mind within the smallest possible compass, making it the unresisting tool of superstition, enslaving it beneath traditional rules, depriving it of all grandeur and historical energies.
>
> "We must not forget the barbarian egoism which, concentrating on some miserable patch of land, had quietly witnessed the ruin of empires, the perpetration of unspeakable cruelties, the massacre of the population of large towns,

with no other consideration bestowed upon them than on natural events, itself the helpless prey of any aggressor who deigned to notice it at all.

"We must not forget that this stagnatory, undignified and vegetative life, that this passive sort of existence evoked on, the other hand, in contradistinction, wild, aimless, unbounded forces of destruction and rendered murder itself a religious rite in Hindostan.

"We must not forget that these little communities were contaminated by distinctions of caste and by slavery, that they subjugated man to external circumstances instead of elevating man the sovereign of circumstances instead of elevating man the sovereign of circumstances, that they transformed a self-developing social state into never-changing natural destiny, and thus brought about a brutalising worship of nature, exhibiting its degradation in the fact that man, the sovereign of nature, fell down on his knees in adoration of Hanuman, the monkey, and Sabbala, the cow.

"England, it is true, in causing a social revolution in Hindostan, was actuated only by the vilest interests, and was stupid in her manner of enforcing them. But this is not the question. The question is : can mankind fulfil its destiny without a fundamental revolution in the social state of Asia? If not, whatever may have been the crimes of England, she was the unconscious tool of history in bringing about that revolution.

"The British were the first conquerors superior, and therefore inaccessible, to Hindoo civilisation. They destroyed it by breaking up the native communities, by uprooting the native industry, and by levelling all that was great and elevated in the native society. The historic pages of their rule in India report hardly anything beyond that destruction. The work of regeneration hardly transpires through a heap of ruins. Nevertheless it has begun."

Such was the severity of Marx's judgment on Indian society as it existed before the conquest; such his recognition of the necessity of it being, somehow, revolutionised. Moreover, Marx went on to list particular respects in which British rule in India would prove "re-generative". These were as follows :

(1) "political unity......more consolidated and extending further than ever it did under the Great Moguls", and destined to be "strengthened and perpetuated by the electric telegraph";

(2) the "native army";

(3) "the free press, introduced for the first time into Asiatic society";

(4) "private property in land—the great desideratum of Asiatic society";

(5) an educated Indian class "endowed with the requirements for government and imbued with European science";

(6) "regular and rapid communication with Europe" through steam transport.

Marx foretold that the basis of industrialisation which, from whatever motives, the British were beginning to lay down in India would in due course transform her.

"I know that the English millocracy intend to endow India with railways with the exclusive view of extracting at diminished expenses the cotton and other raw materials for their manufactures. But when you have once introduced machinery into the locomotion of a country, which possesses iron and coals, you are unable to withhold it from its fabrication. You cannot maintain a net of railways over an immense country without introducing all those industrial processes necessary to meet the immediate and current wants of railway locomotion, and out of which there must grow the application of machinery to those branches of industry not immediately connected with the railways. The railway

system will therefore become in India truly the forerunner of modern industry...Modern industry, resulting from the railway system, will dissolve the hereditary divisions of labour, upon which rest the Indian castes, those decisive impediments to Indian progress and Indian power."[2]

Finally, Marx sums up both the exent and the limitations of the regenerative aspect of British rule.

"All the English bourgeoisie may be forced to do wil neither emancipate nor materially mend the social condition of the mass of the people, depending not only on the development of the productive power, but on their appropriation by the people. But what they will not fail to do is to lay down the material premises for both. Has the bourgeoisie ever done more? Has it ever effected a progress wi hout dragging individuals and people through blood and dirt, through misery and degradation?

"The Indians will not reap the fruits of the new elements of society scattered among them by the British bourgeoisie till in Great Britain itself the now ruling classes shall have been supplanted by the industrial proletariat, or till the Hindoos themselves shall have grown strong enough to throw off the English yoke altogether."

Now that we have the whole story of the British period in India before us, we can see that, curiously enough, Marx exaggerated not only the destructive side (the mid-nineteenth-century British in India were by no means so wholly self-seeking as he alleges) but *also* the regeneration side of British rule. The real criticism which must be made of the British record in India is

2. R. Palme Dutt has done much to rescue these and other pronouncements of Marx on India from unmerited neglect (see Chapter V of his *India Today*, Gollancz, 1940). Though his book is written from the most rigidly Communist standpoint, it contains both information and insights into toe history of India under British rule which are nowhere else available. It remains, in my view, Mr Dutt's major work.

that it did *not* effectively break up the stagnation of Asiatic society : that rural India remains to this day largely untouched : that it did *not*, sufficiently rapidly, industrialise the country : that even what Marx here calls "the material premises" for development were not laid down on a sufficient scale.

To follow, even in outline, this double role of British rule in India, at once "destructive and regenerative", through the nineteenth century would necessitate attempting to write a history devoted to that subject alone. Suffice it to say that in the first half of the century the conquest was step by step completed until the last genuinely independent state, the kingdom of the Punjab, was annexed in 1849. Panikkar regards the decisive battle of the conquest as neither Plassey nor Buxar, but Assaye in 1803, in which the future Duke of Wellington broke the Mahratha power. In fact, at what particular date or battle we choose to say that the conquest of India occurred must always be an arbitrary matter. It would be quite logical indeed to say that the conquest was not really complete until the widespread Indian rebellion of the Mutiny (1857-58) had been overcome.

The best Indian and British opinion on the Mutiny seems to have reached the conclusion that it was "the last gasp of an old and dying order, and though it evoked the loyalties of the past and called forth the enthusiasm of the masses over wide areas, it had not the idealism, organisation or strength to build up and sustain a state which could at that time have taken over from tha British." (Panikkar, *op. cit.*, p 143). This verdict is actually sustained by the fact that militarily the revolution was a success. Delhi after all was taken, the Mogul restored, and the capital held for months. But then, on the Indian side, nothing happened. Fighting is a far easier and simpler business than ruling. Neither a State administrative machine nor a national consciousness were created. And the British were able to re-conquer the capital, freely using troops levied in the newly annexed Punjab. India was not yet a nation, so she could not yet be an independent nation. Almost another century of British rule was indispensable, for the simple reason that no indigenous rule was

available. Our concern is merely to note that the British empire in India did in fact perform a role of regeneration as well as destruction, and that it did so precisely because, unlike some of the other mercantile empires, such as the Portuguese or the Spanish, it persisted into the epoch of industrial capitalism. It became indeed the main element in one of the great capitalist empires, the British, and was only dissolved in the middle of the twentieth century.

And yet how slowly and with what anguish did the regenerative element in British rule in India begin to emerge out of the purely destructive. The destructive element persisted and predominated far into the nineteenth century. For example, nearly eighty years after the conquest of Bengal a reforming Governor-General, Lord William Cavendish-Bentinck, reported that "the bones of the cotton-weavers are bleaching the plains of India". There was, however, this difference between the eighteenth-and the nineteenth-century devastations. The earlier ruin was caused by what was virtually direct plunder thinly disguised as commerce. But what, in the fourth decade of the nineteenth century, was strewing the Indian plains with the bones of her starved cotton weavers was not bad government, corruption or plundering traders. On the contrary, the methods of the British government in India had by then vastly improved. What was having this deadly effect was simply the impact of machine-made Lancashire cotton cloth which could undercut the Indian handloom weavers.

Nevertheless this new, and still destructive result of the conquest had, as Marx saw, within it at least the possibility of regeneration. For what was happening to the Indian handloom weavers was in one sense the same process that had just happened to the English handloom weavers themselves, namely extirpation by the Lancashire power looms. And yet the Indian case was far worse. The British handloom wervers were fairly quickly (although extremely painfully) reabsorbed into the new, mushrooming machine textile industry, or into the general process of industrialisation which was going on in Britain. But in India the positive side of the transformation, namely the

creation of mechanised industry, was delayed for many decades. In those decades the process of industrialisation which was destroying the handloom weavers was happening indeed : but it was happening externally, in Britain. In India, therefore, the process was fatally one-sided. The hand textile industry was destroyed and for decades no other grew to take its place.

A colonial country is almost inevitably subject to these terrible distortions in its development. Since its development comes from outside, and is imposed on it by alien rulers over whom its people have not even indirect control, a colonial country is apt to suffer the horrors of the industrial revolution while reaping its fruits but slowly and meagrely. This was to be the fate of India. It was not until almost the beginning of the twentieth century that a great machine textile industry (usually the first comer in industrial development) was established by both Indian and British entrepreneurs in India. (For it was not till then that India was allowed to foster it with a tariff.) It was not till then that that network of railways, of which Marx had written fifty years earlier, was completed. And even then, it is doubtful if the Indian people as a whole experienced (or have experienced even yet for that matter) any direct benefit by way of a rising standard of life, from the process of industrialisation. This was, above all, because of the most fatal, though for long the least noticed, feature of the distorted development which is habitually suffered by subject peoples. It is not that their countries remain altogether untouched. On the contrary, law and order may be established, railways built, pestilence conquered or abated, the peasants protected. But if all this is not accompanied by rapid industrial development the last state of the colony may actually become in some respects worse than the first. For the main effect of the positive features of imperial rule is to produce a continuous and rapid rise in the population. And unless that rise is matched by all-round industrial development every potential benefit is swallowed up in mere numbers. We shall find as the narrative proceeds, moreover, that imperial governments can never achieve, and seldom even allow, such all-round development. The contrast between the history of Japan the main Asiatic society to remain genuinely independent, and that of

peoples which were colonised, is striking in this connection. Thus right up to its term in 1947 what could be claimed for British rule was no more and no less than a profound disturbance of a stagnant Asiatic society and the creation of the pre-requisites for development.

The second half of the nineteenth century in India was, however, a period very different from Clive's eighteenth-century "Augean stables" of plunder. By 1860 a vast Victorian decorum had settled upon the sub-continent. In some respects this was the best and most fruitful period of British rule. The military success, and the political failure, of the Mutiny had alike demonstrated that, even when physical power had largely passed into Indian hands, India was not yet capable of organising herself into an independent society Indian nationalists of to-day (and by no means "men of the right") have told me how much of responsible Indian opinion in the second half of the nineteenth century genuinely concurred in the view that British rule was inevitable for the time being and was conferring substantial benefits upon their country. (Gokhale, an outstanding Indian leader of the period, called it "an act of providence", for example.)

Nothing could be more opposite to its previous phase than the mood and methods of British rule in the forty-three years from the Mutiny till 1900. Gone were all the worst abuses of the eighteenth and early nineteenth centuries. India was no longer ruled by a gang of passionate adventurers, frantic to enrich themselves. She was ruled, on the contrary, by what was becoming the least corruptible, that ablest and the most respectable of all the great bureaucracies of the world. Carefully recruited from the ordinary "fists" and "good seconds" of British education, the Civil Service was becoming an intensely conscientious body. There is not the slightest doubt that its members put the interests of India, as *they* saw them, far above thei own fortunes, and often above the supposed interests of Britain. They were willing, on occasions, to fight the interests of British businessmen and of the British Government on behalf

of "the dumb Indian masses", which they genuinely conceived of as their wards.

But this feeling of guardianship for the Indian peasant masses was associated with a growing hostility to the educated Indian middle class which was emerging. The austere I.C.S. official in his bungalow was sure that the new Indian merchants, businessmen and lawyers were going to exploit "their" peasants. And so, no doubt, they were the Indian middle class exploited the classes below it in just the same ways as do middle classes everywhere else at comparable stages of social development. But what the I.C.S. officials forgot was that, certainly at that time, no way forward for a people had been found, other than to grow out of itself such an exploiting, but also innovating and progressive, middle class as this.

Thus there were losses as well as gains in this transformation of the nature of British rule in India. Decency and distance had succeeded pillage and intimacy. If the new rulers of India were incomparably more disinterested than the old, they also had far less to do with the Indians themselves. Especially after the Mutiny, the fatal doctrine of racial superiority came more and more to dominate the imaginations of the British in India. Perhaps the deterioration in this respect can be made concrete from the records of my own family. During the eighteen and early nineteenth centuries two of my collateral ancestors, Colonel Kirkpatrick and Edward Strachey, had married what the late-nineteenth-century British would, so offensively, have called native women. Kirkpatrick had married a Bengali lady of a distinguished family and Strachey a Persian princess, in each case, so far as the family records go, without exciting the least adverse comment or injuring their careers in any way. How unthinkable such alliances would have been to my great-uncles, Sir John and Sir Richard Strachey, who were members of the Governor-General's Council in the eighteen seventies. This terrible withdrawal of genuine human community went far to undo—in some respects it more than undid—the good which the immense improvement in British conduct might

have done for the relations of the two great peoples.[3] Moreover, another curse had descended upon the late-nineteenth-century Birtish administrators; the curse of the doctrinaire. *Laisser faire* in general and free trade in particular had become the secular religion of the British middle class. The application of its dogmas to India had frightful consequences. Mr. Philip Woodruff in the second volume of his well-known work, *The Men Who Ruled India*, entitled *The Guardians* (a work specially, and worthily, devoted to celebrating the achievements of the I C.S.), describes what happened in the matter of famine relief. In 1866 the crops failed in the province of Orissa. The members of the Board of Revenue, who advised the Lieutenant-Governor, Sir Cecil Beadon, were—

> " '...held by the most rigid rules of the direct political economy'. They rejected 'almost with horror' the idea of importing grain. They would not even allow the authorities in Orissa to take the grain from a ship which ran ashore on their coast in March. It was bound for Calcutta and to Calcutta the grain must go. In fact, it rotted in the holds while plans were made to move it.
>
> "At Haileybury, everyone had learnt that political economy was a matter of laws, that money and goods would move by themselves in ways beneficial to mankind. The less any government interfered with natural movements, the better. If there was real scarcity in Orissa, prices would rise, grain-dealers from elsewhere would be attracted and would hurry grain to where it was needed. If the government tried to anticipate this process, they would cause waste and incur loss ..By the time relief came a quarter of the population were dead."

3. Professor Myrdal (in a letter to the writer) points out that these anti-social developments into racial segregation had deplorable economic consequences also. They tended, by segregating the races, to segregate economic enterprises also. They helped to make the British enterprises in India into mere *enclaves*, employing only unskilled Indian labour, with little tendency to spread higher techniques through the Indian economy.

It is true that as a result of the famines of 1866, 1868 and 1874, this insane doctrine was revised and a "Famine Code" which suspended the "laws" of political economy was drawn up in 1880 by Sir Richard Strachey. But allowing men to starve to death lest feeding them interfere with doctrine was only the most extreme example of something which will concern us throughout this narrative. For if, after 1880, it was possible to interfere with "economic laws" when actual famine had broken out, this was by no means the case at any other time. On the contrary, *laisser faire* in its most rigid interpretation remained the creed of the men who conducted the economic policy of the government of India to the very end of the British period. (It is true that in the latter years they had to yield to some extent to Indian pressure in the matter of tariffs, but unwillingly.)

We here catch a first glimpse of what will be a major theme of these pages. Whatever may be our view of the advantages or disadvantages of *laisser faire*, free trade economics for a highly developed society such as Britain, it is now clear that an undeveloped society simply cannot develop if it is subjected to such a policy. The ancient hand-technique industries of a country such as India will be crushed, and the establishment of machine-technique industries prevented. The undeveloped country will remain at a peasant level, with a few large scale enterprises in the extractive industries, working for export. Under *laisser faire* and free trade between countries at unequal stages of development there is an overriding tendency for the gap between a developed and an undeveloped country to grow wider *indefinitely*. It was this tyranny of the unbridled market which the British imposed upon India : and this subtle tyranny almost undid all the truly noble and selfless work which "The Guardians" were doing in other respects. Why did these virtuous men do such terrible things? Was it because they were, as Keynes wrote, "the slaves of same defunct economist"; was it, in other words, mere intellectual error on their part? Or was *laisser faire*, free trade dogma a cloak for imposing the (supposed) interests of Britain upon the subject people? The question is still a burning one. For we shall find that even today, when most of the subject peoples are politically free, the attempt is still being made

to catch, or hold, them in an intellectual net which will prevent them making those drastic and continuous interferences with the laws of international trade, which they must make if they are to have any hope of develcping their countries.

Leading Indians are to-day ready to pay generous tribute to the work of the British administrators in the second half of the nineteenth century. Considering both the ever-increasing distance at which they were held by those administrators and the failure to initiate economic development, the extent to which the British achievement of the period is understood and appreciated in India to-day is remarkable.[4]

. Family *pietas* prompts me to instance a splendidly compiled present-day Indian State paper, *Memorandum on the Introduction of Metric System in India*, by Pitamber Pant, with Foreword by Jawaharlal Nehru (Planning Commission Government of India, 1955). Mr. Pant, an extremely able young Indian Civil Servant, in assembling the evidence in favour of the adoption of the Metric System by India to-day, has reprinted in extenso as his appendices B. 1, B. 2, and B. 3 the memorandum advocating the same system written by my great-uncle, General (then Colonel) Sir Richard Strachey and dated Simla, October 1st, 1867, the latter's Minute of Dissent from the Report of the Committee on Indian Weights and Measures, which advocates the adoption of a version of the British system, and the minute of Sir John Strachey, member of the Governor-General's Council, supporting his brother. The views of the brothers were summed up by Sir John as follows :

"3. In enquiring what measures ought to be taken to remedy the manifest evils of the existing state of things, it must be first laid down that our conclusions must not be influenced by anything but the advantage of the people of India. Questions of the present or future convenience of Englishmen must be left out of consideration. Mr. Minchin's Committee seems to have been of the opinion that India, being politically dependent on England, public policy requires that she should be compelled to assimilate her weights and measures to those of the ruling power, irrespectively of her own advantage or convenience. For my part I reject entirely all such suggestions. It is our duty in this matter to think of the interests of India alone, and to do nothing without a reasonable conviction that the measures which we adopt will never be undone. It would, as Colonel Strachey has said, be utterly unjustifiable to make any organic change in the

(Contd.)

Many devoted British administrators were building the railways, the canal as, the roads—the whole "infrastructure", to use a convenient present-day military term—of modern industrial development. Together with the splendid administrative and fiscal structure of the I.C.S. and the development of perhaps unsuitable, but yet considerable, educational and judicial systems, these were massive achievements. Nor is it true to say with Marx that this work was done simply and solely in the interest of Britain and in order to enable her capitalists to make more money out of India. That this was one motive, no one who represents the jute constituency of Dundee in the British Parliament (as I do at present time), or visits Calcutta with its immense jute and cotton mills (still sometimes Scottish, or English, managed), can avoid becoming aware of. But yet the real development was immensely more complicated than that.

> weights and measures of India, unless we are satisfied that it will be a lasting one. Whatever we do now, must be done with a view to the establishment of that system which we consider will be ultimately and permanently the best for the people of India."

The Strachey brothers succeeded in getting an Act (Metric Act of 1871) on to the statute book providing for a phased introduction of the Metric System into India. Mr. Pant comments on Sir Richard's work for this enactment as follows :

> "The moving spirit behind this measure was that of Colonel R. Strachey, F.R.S., R.E. His brilliant notes and memorandum (Appendices B. 1, B. 2, B. 5), in particular his Minute of Dissent (B.2), are classic in their qualily, imbued with scholarship, practical wisdom and above all a noble earnestness which not only evokes administration but also inspires. No aspect of this complex subject has escaped his notice and none has received but the most patent and careful treatment. With 90 years separating his writings from now, it is remarkable they are as much relevant and enlightening to-day, during our present consideration of the problem, as they were than when the subject was in his care."

The result, however, was unfortunately typical of even the most enlightened imperialist rule. Owing to the obstruction of British commercial interests, the Metric Act remained a dead letter, and the work of introducing a rational and uniform system of weights and measures of India remains to be done by an Independent Indian Government. (The introduction of the new system was actually begun in 1958.)

The British visitor to present-day India would be more, or perhaps less, than human if he did not take a pride in the mighty legacies to India which his countrymen have left. In the physical sphere the trunk railways, with their huge steel or masonry bridges over the great rivers, will surely remain the memorial of our empire in India, as do the Roman roads of Europe to the Romans, or as do the Taj Mahal and the forts and palaces of the Moguls to the former conquerors of India. At the ancient city of Agra the monuments of the Moslem Raj and the Britsh Raj can be conveniently compared. If one stands on the battements of the Red Fort of Akbar, one may see at one and the same time the vast aery, dream of the Taj, and the two great railway bridges spanning the Jumna. The Taj reflects the sensibility of Shah Jehan, the artist-emperor of the seventeenth century.[5] The two bridges, on the other hand, are worthy monuments of the workaday, sturdy, unlovely energy of the nineteenth-century British. Both are the heritages of present-day India.

The second legacy of the British, the human network of an efficient administrative Civil Service covering the face of the sub-continent, also stands to-day as firmly as do the railways. It has been completely Indianised, but its traditions, its methods of work, its whole way of life, are almost absurdly familiar to anyone who knows Whitehall. And, with all its faults, the existence of such a service, when compared with the administrative vacuum which confronts many another of the major undeveloped countries to-day, is a priceless asset.[6]

5. To my taste, although not, curiously enough, to the taste of many present-day Hindus, neither the Taj nor the other great Moslem monuments have anything approaching the aesthetic importance of the indigenous Hindu monuments, such as Ajunta, Ellora, Elephanta or Konark.

6. If, on the other hand, the revolutionary road is taken, as in China, inevitably under communist auspices, then one of the first things which be necessary to do is to break up the old Civil Service and substitude for it a nation-wide communist bureaucracy. Of course, the revolutionary method has some advantages: the old Civil Service is sure to be conservative-minded and difficult to transform

The third major British legacy to India, namely Parliamentary democracy, does not date from the period which we are considering. On the contrary, the nineteenth-century British adminstrators would almost all have denied the possibility of introducing such a system into India in any foreseeable future. (See, for example, the opinions expressed in Sir John and Sir Richard Strachey's joint book of India, *The Finances and Public Works of India 1869-1981*, Sir John Strachey G.C.S.I. and Lt.-Gen. Richard Strachey F.R.S., Kegan Paul and Trench, London, 1882.) As we shall note, the tardiness with which democracy was brought to India had grave consequences. Still, in the nick of time, though unwillingly and as a result of Indian pressure, a Parliamentary system was established, so that here, too, India inherited both the Lok Sabba, or Central, Federal Parliament, and the Parliaments of the Constituent States. She possessed a workable machine of government which could hold the vast nation together.

Nevertheless, in my view the mid-Victorian period was the real heyday of British rule in India. The succeeding Edwardian viceroyalties of Curzon and of Hardinge were more magnificent. But by then the justification of arbitrary British rule was fast coming to an end.

What Happened to Britain

The British conquest of India had momentous economic and political consequences for British also.

In order to consider the economic consequences we shall have to return to the last decades of the eighteenth century, and trace, if we can, the effect upon the development of the British economy of the unequal trade which the East India Company was carrying on with India. For it was during these decades

into an instrument of change: on the other hand, if you wish to avoid the revolutionary method and all it entails, then the existence of a legacy such as the Indian Civil Service is, I repeat, a priceless asset. In order to see this you have only to look at the plight of the undeveloped countries—Indonesia for instance—which have neither adopted the revolutionary, communist method nor yet possess an efficient civil service.

that the British economy went through that hitherto unprecedented transformation which we now call primary industrialisation.

Indian historians, following Romesh Chandra Dutt (*Economic History of India Under British Rule* (1902), a school of American and British historians, such as Brook Adams, in his work, *The Law of Civilisation and Decay* (New York, 1910) and William Digby in *Prosperous British India* (1901), as also Marxist analysts, such as R. P. Dutt in his *India To-day*, have taken the view that the fruits of the pillage of India in the late eighteenth century played a major part in providing the initial capital for the contemporary industrial revolution in Britain. This is one aspect of the theory of "the drain", as it is often called, which has played a major part in Indian nationalist propaganda. We must attempt to assess what really happened. For it will appear that this whole issue of whether, or to what extent, one country can get fat by battening upon another : or, conversely, of whether or to what extent, one country can help another over the critical period in its development, is of the highest present-day political importance. It is certainly a natural assumption that a "drain" of unrequited value, extorted from India (and the West Indies) by Britain not only had dire consequences for the former but also greatly helped the latter to industrialise. The question is a quantitative one. How big a part of that precious initial store of capital, command over which alone enables a nation to begin to industrialise, was provided by the British imperial conquests?

In order to answer such a question we shall have to look at the amount of wealth transferred, unrequited, to Britain, and then attempt to analyse what that wealth really was. In some cases of conquest the amount of wealth forcibly transferred to the conqueror can be estimated without undue difficulty. The treasure which Spain drew from South and Central America in the sixteenth and seventeenth centuries is fairly well known, for example. This is partly because it took the direct and simple form of the importation of gold and silver. But it is partly also because the Spanish system was so highly centralised that the whole of this treasure came, officially at any rate, through the

hands of the Casa da Contratacion at Seville. A recent historian of imperial Spain, Mr. R. T. Davies, in his book, *The Golden Century of Spain 1501-1621* (Macmillan, 1937), is, for example, able to print as an appendix a table of the total gold and silver imports into Spain from the Americas from 1503 to 1660. At their peak these imports (1591-95) were running at some £4 m. a year, to which, we are told, must be added "from 10%-50%" for smuggled imports. Perhaps £5 m. to £6 m. a year would be the order of magnitude of the sum transferred to Spain. And, since the metals were mined by slaves who were fed and maintained out of American resources not much was probably transferred in the opposite direction, from Spain to the Americas.

No such simple calculation can be made in the case of the East India Company's trade with India. In the first place, far from importing bullion or precious metals into Britain, the Company was, even after the conquest, hard put to it to avoid exporting them both to India. What is imported from India were above all textiles. Up to the conquest these were paid for in gold and silver. After the conquest of Bengal, as we noted on p. 40 above, the Company attempted not to pay for them at all, but to raise the money for their purchase by taxation in the province, and in other provinces too as the conquest extended. This ideal of the Company's ships going out empty and returning laden with free goods was never quite achieved. But it was approached.

Professor Holden Furber in his *John Company at Work* (Harvard University Press, 1948), a leading American authority on this matter, gives us the figures. During the decade 1783-93 only £721,914 in gold were sent to India from Britain. A rate of under £100,000 a year means that the flow of gold had been reduced to a trickle. For the scale of the transactions between the two countries was quite large. For example, in this decade over £23 m. of goods from India were imported. On the face of it, it looks as if during this decade, Britain only paid for about £7½ m. worth of the £23 m. worth of her imports from India. In fact, the discrepancy was not as extreme as that. For

some actual goods, as well as gold, were exported by Britain. In order to illustrate and exemplify the sort of thing that was happening, Professor Furber has given us a detailed account of the cargoes on both the outward and the homeward voyages of the *Berrington*, the ship in which Warren Hastings returned to England in 1785. The *Berrington* had carried out to India various goods, namely lead, copper, steel, woollen clothes and naval stores, to the value of £27,300. She brought back from India cotton piece goods, cotton yarn, indigo, redwood, silk and saltpetre to the value of £119,304. If her voyage was typical, as Professor Furber implies that it was, she was evidently transferring an unrequited value to Britain, on this voyage, of about £90,000. The Indian produced goods were promptly sold at auction in London, to both British and European buyers, and the profit credited to the Company. It is not particularly relevant to our purpose that at this date little of the profit so realised found its way into the pockets of the holders of East India Company stock. For the Company, largely in order to finance Clive's "military transactions", had borrowed extensively in India, above all from its own servants.

What, typically, happened was something like this Some Company's servant made, say, £20,000 on a contract for supplying bullocks for the baggage train of one of the Company's armies. Or still more frequently such a sum was made in "the country trade", *i.e.*, in trade, either internal or sea-borne, between different places in India, or between India and some other part of Asia, a trade in which, as we saw, the Company's servants engaged at an immense advantage over their Indian competitors. What the lucky man wanted to do was to transfer the money he had made to England for his future use and enjoyment. Accordingly he lent it to the Company in India, which gave him a promise to pay him the amount, with interest, on a certain date in England. At least this is what he did not have much to conceal as to how he had made the money. If he had a good deal to conceal he lent the money, on the contrary, to one of the other East India companies, the Dutch, the Danish, the French, the Ostend, or the Trieste companies, which were still operating in India more or less on British

sufferance. If he had still more to conceal he bought diamonds in India and sent them back to England either by ship or overland, through Bagdad, Constatinople and Vienna. Or, yet again, he might speculate again in another trading venture either in the East, or in a voyage back to Europe, which, if successful, would leave his money there on call.

Professor Furber makes a gallant effort to estimate what this jungle of transactions really meant in terms of a transfer of wealth to Britain from India. After complex calculations, involving much guess-work, he comes to the conclusion that during the decade 1783-93, on which he concentrates his researches, something under £2 m. a year was being transferred unrequited. This is a surprisingly modest sum. For example, William Digby, in his *Prosperous British India* (1901) calculated that "the drain", or "the tribute", as it was often called, of unrequited value exacted from India averaged £18 m a year during the whole period from Plassey (1757) to Waterloo (1815). But it may be that Professor Furber is nearer the mark. He is a recent and American investigator with no motive for minimising the figure. At any rate, before challenging it, it would be necessary to conduct researches into the original documents, bills of lading and labyrinthine accounts of the East India Company comparable to those undertaken by the professor. Moreover, on consideration, several factors may incline us to suppose that the amount may have been of this order of magnitude. First, applying our multiplier of 10, this would be equivalent to an annual transfer of £20 m. in 1959 money. Second, we must remember that Britain was then a country of some 8 or 10 million inhabitants, say a fifth of its present population. Therefore, per capita the transfer would be equivalent to one of £100 m. a year to-day. So the amount was modest, though not insignificant.

The explanation of why the devastation of Bengal seems to have resulted in such relatively modest gains for Britain is, surely, that pillage is an almost incredibly wasteful process. Clive's salt monopoly and the virtual monopolising of trade by the Company's servants and their agents produced the famine of 1770

and reduced much of Bengal, in Cornwallis' phrase, to "a jungle inhabited only by wild beasts". But that did not mean that it enriched Britain to any remotely comparable degree. By far the greater part of the values taken from Bengal were simply lost to both countries. Only a minor part was successfully brought to England.

Nevertheless, the inflow to Britain of unrequited value on the above scale, while not very great, may still have been significant for the economy. And this brings us to the question of what it was that was being transferred from India to Britain. It is only too easy to become bewildered by the maze of transactions involved. Not only the above described elaborate transactions between the Company and its own servants are involved, but also the web of exchanges which began to be woven as soon as an Indian cargo reached London. Let us return to the example of the *Berrington's* cargo, worth £119,000, which reached London in 1885. Let us suppose that a particular "lot" of calicoes, cambrics or silks, was sold at the Company's auctions to an Austrian buyer for, say, £10,000. Let us further suppose that this £10,000 enabled the Company to pay part of its debt to the *Berrington's* most distinguished passenger, Warren Hasting, the Company's retiring Governor-General. During his period of office the Governor-General, had made, in one way or another, considerable sums which he had then lent, in Bengal, to the Company. These debts had now to be repaid to him out of the sales of Company's goods. Thus, the £10,000 now passed to him.

Now let us consider what Hastings did with the money with all the other sums so paid to him. One thing which he did was to buy back his ancestral manor of Daylesford in Worcestershire and re-requ-it the estate. And in this he was typical of many of the Nawobs. The theme of repurchasing or redeeming run-down or mortgaged family estates runs through the histories of the early "Indians". This, for example, was Clive's own first action. And this was the result of my ancestor, Sir Henry Strachey's first voyage to India. Imprudent management had so heavily mortgaged the family estate in Somerset that it would have been

lost within a few months of the time when Clive engaged the young Strachey as his Secretary for his third and last voyage to India. When Clive discovered this situation he, with characteristic magnificence, lent Strachey £10,000 to be duly repaid when Strachey got his share out of the system of 'better-regulated pillage which, as we noticed, Clive went out to establish in Bengal. Again Scotland contains may an estate, he land of which will, originally drained or the farm improved, by returning "Indians" who owned their places and opportunities to Dundas. For in the seventeen-eighties and nineties Dundas, as the younger Pitt's political manager in such matters, was busily staffing India with his compatriots. The significance of this for our purpose is that many of the Nawobs appear to have used their fortunes *productively* when they came home. They invested in improving their estates or in buying new ones. They took part in the revolution in agricultural technique which was going on throughout the eighteenth century and which underlay and made possible the industrial revolution.

In order to trace the singificance of this, let us return to our imagingary example of the £10,000 "lot" of textiles sold to an Austrian buyer out of the *Berrington's* cargo. Since the textiles had been taken from Bengal without any equivalent value being sent there, the transaction meant that Britain could now import £10,000 of corn, or anything else, without having to make and export anything in return. If, on the other hand, the silks in the cargo were sold to an English buyer[7] the transaction meant that the wealthier classes in Britain could satisfy their desire for fine textiles, again without any British labour being used up for that purpose. In general the acquisition of this amount of unrequited imports meant that the existing standards of life of the British people could be maintained with less British labour. An amount of labour which would have been needed to produce £10,000 worth of goods had been freed for other purposes. Therefore, this quantity—let us say for argument 500-man years—of British labour, were now available for such purposes as improving the

7. In order to protect the home cotton trade, the cottons had to be exported.

productivity of the Nawob's estates, or more dramatically, for building Mr. Boulton's and Mr. Watt's new steam engines in Birmingham.

This argument is only valid, however, upon the hypothesis that the available supply of British labour was fully employed. For if it was not then there was no need to "free" a part of it in order to improve estates or build steam engines. There are no such things as eighteenth-century employment statistics. But for the sake of simplicity let us assume full employment for the moment, and continue to trace the effect of the receipt of the u requited value from India on that assumption. We will withdraw the assumption in due course.

Workers could now be spared for the above purposes without anyone being the poorer during the time before their work on the estates or the steam engines had resulted in any more consumers' goods being available. That is the point to be observed. If it had not been for the unrequited import of the £10,000 worth of goods, the diversion of 500 man-years of labour to investment must have reduced the supply of goods for immediate consumption correspondingly. It is only by means of the advent of some outside, adventitious, and that a community, already fully employed on sustaining its own standard of life, can divert some of its resources to producing new capital goods, without reducing its standards. Of course, as soon as the initial job has been done, the *further* production of capital goods becomes far easier. In our example, as soon as the first Nawobs' estates had been improved and were producing more food with less labour, or as soon as the new steam engines had been sent to Lancashire and were turning the spindles and driving the shuttles, so that more shirts were being made by fewer workers, the thing became self-perpetuating. More and more workers were each year freed to produce more machines which, in turn freed more workers. It is that first agonising pull off the dead centre of an undeveloped and unchanging technique of production which is the trouble. At that juncture an import of even quite a modest amount or unrequited value can be important. The present-day importance of getting this basic economic consi-

deration clear will emerge. For to-day the position as between not only India and Britain, but the under-developed and the highly developed worlds in general, is just the opposite to the eighteenth-century situation. Then it was Britain which was in the throes of the first critical stage of industrialisation. And she managed to lay her hands on some unrequited value from abroad to help her through it. To-day it is India and the other undeveloped nations which face that same crisis. And dire will be the consequences unless they are enabled to borrow, or are given, some unrequited value in their turn.

When we have once realised this vital fact, however, we must not exaggerate the part which the import of unrequited value from India played in the British industrial revolution. Other major influences were at work. For example, if Duplieux instead of Clive had conquered India; if the spoils had flowed to Paris, not London, would the Industrial Revolution have first taken place in France instead of Britain ? Imperialist gains did not, in my view, play anything like so decisive a part as that. There were more important sources for the accumulation of the primary capital which made possible the industrial revolution in Britain. Much the largest of them, was the agricultural revolution, marked by the enclosures, which had been going on, not only since the beginning of the eighteenth century (with its great technical achievements), but since before 1500. Every decade the food necessary to sustain the British population at a given standard of life, and the wool to clothe them, were being produced by a slightly smaller number of workers. This freed a slowly but steadily expanding number of workers for making the steam engines and, still more important, for building the roads and digging the canals of eighteenth-century Britain. The process of "freeing" the former peasants from not only their food-producing labour, but also, and particularly, from their hereditary holdings, was a savage business : but this was the way in which productivity in agriculture rose and so provided the basis of all subsequent development. This internal process resulted, at certain times and places, in a terrible initial fall in the peasants' standard of life, but it provided resources which were probably many times as important as the unrequited imports of the

East India Company and the other imperial spoils such as the slave-produced sugar of the West Indies.

We must now withdraw the assumption that there was full employment in Britain when the unrequited Indian imports began to arrive. On the contrary, the enclosures and the associated rise in agricultural techniques had for long been continually freeing labour from food production. Thus at any given moment there already existed a pool of unemployed labour. Accordingly if we take the shortest possible view it may be suggested that neither unrequited imports nor the agricultural revolution were necessary to free labour for accumulation. For there was unemployed labour available already. And this is what certain economists, brought up in the Keynesian tradition, are in fact apt to suggest. But the suggestion only shows the superficiality of the Keynesian analysis if it is applied to long periods and to major historic developments. For, of course, the pools of unemployed labour which such commentators notice had only come into existence as a result of a *previous* change in agriculture. If mediaeval agriculture had been left untouched with its huge, under-employed but unavailable labour force, securely "bound" to its peasant holdings, there would have been nobody to use for the vast work of the Industrial Revolution. On the contrary what the unrequited imports did was to added to the stream of unemployed labour which was becoming available for capital accumulation—and by so doing no doubt helped to keep wages down to a subsistence level.

It is true that all this labour might have been freed from its previous employment and then not re-employed on capital accumulation. It might simply have rotted and perished unused. And some of it did. But in eighteenth-century Britain, almost uniquely up to that time, much at least of this freed labour (though after immense suffering) actually found new employment in capital accumulation—in what we now call development. That was the remarkable thing : that is what has to be accounted for. Naturally, the major explanation is the break through in technique (the greatest since the invention of the wheel) associated with the steam engine which was occurring at the same time

and place. Nevertheless it is precisely in this respect that the receipt of unrequited value from India may have played an important role. It provided a basis for the liquid funds—capital in readily disposable form—which is so hard to accumulate and which plays a major role in the actual application of new techniques. That the "enterprisers" of the early industrial revolution were able to find banks and finance houses able and willing to finance them may have been partly due to the unrequited gains of the unequal trade of the East India Company and its imitators.

We should therefore conclude that though the notorious "drain" from India was by no means the largest factor in Britain's pioneer accomplishment of primary industrialisation, it played a very real part. The process was, in comparison with present-day developments, a slow one, stretching over more than one century. Nevertheless, at the critical moment, in the mid-eighteenth century, it received the impetus of unrequited imports. In the final chapter of Part II we shall come back to this issue but, as it were, in reverse. In the middle of the twentieth century the question is : how can the undeveloped countries of the world, which are largely the ex-colonies of the empires, be provided with an external contribution to capital accumulation? For, even though such a contribution may be quite minor in amount, in comparison to the vast sums which they must somehow raise from their own peoples, it may yet be indispensable to getting the whole process fairly under way. The thing has been aptly compared to the "assisted take-off" whereby a modern fighter aircraft may be shoved off the ground by a rocket mechanism which can be easily dispensed with once it is flying.[8] We should not forget that we in Britain benefited from "an assisted take-off" in our pioneer industrial revolution two hundred years ago. To-day not merely Britain but the whole of the West must on pain of catastrophe to themselves help forward

8. Professor Blackett in his Presidential Address to the British Association, 1957.

the industralisation of the undeveloped three-quarters of the world. We must do so both in our own interests and in the interests of the human race as a whole. But we should also remember that we are repaying a debt.

The political as distinct from the economic consequences for Britain of having acquired the empire of India were far-reaching. It was by taking power over this vast Asian sub-continent that Britain decisively launched herself upon the imperial course.

It is true that already during the seventeenth and eighteenth centuries Britain, and to a lesser extent France also, were acquiring colonies of a very different type from India. These were colonies which had been inhabited thinly and by peoples so primitive that they could be exterminated, driven into the interior, or absorbed. Thus their former territories could be aotully peopled by Europeans. The main ter, itories of this character acquired by the Europeans were North America, which was steadily peopled by the British as to what is now the Eastern United States, and by the French as to what is now Eastern Canada, and the Southern Mississippi Valley : and, in the early nineteenth century, Australia and New Zealand, which began to be peopled by the British.

If we add such large areas as these, in which actual European settlement was beginning, to the Spanish and Portuguese Americas and to the trading posts in Asia and Africa which had come or were coming into European possession, we get a picture of a world in which, at or about the year 1770, the European states must have seemed about to acquire, immediately, by far the larger part of the earth. Three major areas of the explored world alone remained quite independent of them, viz. the Moslem world of Western Asia plus South-Eastern Europe and North Africa, under the Turkish Empire; China, under the still vigorous rule of the Manchus, and Japan in its still untouched feudalism. But in the event an immediate European conquest of the world did not occur. If we now look at the world as it was, say, seventy years later, in 1840, the possessions of the European states are smaller, not larger. In particular, all

three of the Americas, with relatively small exceptions, had become independent.

This ebb of the imperial tide began, of course, with the succesful revolt of the thirteen British North American colonies in the seventeen-seventies. But that event was followed during the first half of the nineteenth century by the equally successful revolt of the Spanish and Portuguese colonies of Central and South America. Neither of these revolts, it is to be noted, were made by the indigenous inhabitants of the Americas; for they had been exterminated, dispersed, driven away or securely subjugated. They were both undertaken by the colonists of the Eroupean states which had settled across the Atlantic. Therefore, they did not prevent the Americas from being peopled by Europeans. Nevertheless, they created independent states, not empires. Moreover, during the same period the one significant part of the Americas—namely, Canada—which had not become independent by means of revolt, took the first step in the process of achieving her present independence by means of agreed constitutional development. And this same development took place a little later in Australia and New Zealand also.

Nor was this major ebb in the imperial tide counterbalanced by forward moves in Africa. The European possessions remained mere trading posts upon the periphery of the continent. In Asia alone the imperialist process still went forward. And this was above all due to the fact that the British completed their conquest of India in these eighty years. By the fall of the Sikh kingdoms of the Punjab in 1849, the original colony of Bengal had become, in all but name, the British empire in India. With the suppression of the mutiny ten years later its power was consolidated and in 1876 it received the name of empire. It was this acquisition by a European nation of sovereignty over one of the two major civilisations of Asia which determined the fact that European conquest proceeded in Asia, while it receded in the Americas and stood still in Africa. For the extension of European, and predominantly British, power further into Asia during the first two-thirds of the nineteenth century was essentially based upon the fact that the British had become a major

Asiatic power. It was from India, and through the agency of the East India Company, that Europe began to knock upon the door of China herself.

The story of the earlier encounters between Europe and China, in the eighteenth and early nineteenth centuries, has been often told. The behaviour of the Europeans was so atrocious, and the attitude of the Chinese so superciliously correct, that the defects of the latter have, perhaps, tended to be overlooked, in the case of non-imperialist historians at least. Certainly nothing whatever can condone the two opium wars or the process at once arbitrary, violent, yet at the same time covert and hypocritical, by which Chinese sovereignty was slowly destroyed, first in the ports along her coast, and then gradually in extending spheres of influence into her huge interior. Still, was there not something blind and self-righteous—not to say downright silly—in the Chinese refusal, over a century, to face the facts of European physical power and do something about it? The Chinese are so consummately great a people that it must be a wonder to a European that they did not sooner (since they have done so very adequately in the end) see what they were up against : that they did not see that they were up against societies which in respect of their control over their natural environment had moved far ahead of them.

It was no doubt natural that when the Chinese first met the Europeans they should have supposed that they were unimportant "Western barbarians" to be permitted to pay tribute, but of no conceivable danger to their own age-long empire over that part of the world which they alone know. And yet the Chinese had had some direct contact with Europe ever since Marco Polo, and an appreciable contact with European culture through the Jesuit missionaries in the sixteenth and seventeenth centuries. Was there any real excuse for the unshakeable complacency, and the illusion of impregnable national securtiy, which the Chinese exhibited not only in the eighteenth century, towards, for intance, Lord Macartney's famous mission, but even far into the nineteenth century, when the gunboats were already steaming up

their great rivers?[9] At any rate, that complacency on the part of their rulers cost the hundreds of millions of the Chinese people dear indeed. China came within an ace of becoming the colony first of one or more of the European powers, and then, in our own time, she escaped the domination of Japan by an even smaller margin.

The Japanese when they also encountered the European problem, showed a far greater appreciation of the forces which menaced them. It is true that in the period which we are considering—namely, the first two-thirds of the nineteenth century —they dealt with the matter by means of a determined policy of non-intercourse. But when that became impossible they undertook the most remarkable, the swiftest and the most successful policy of self-development of which the world has any record. Is it not strange that the Chinese should have been so much the slower to appreciate correctly that they had encountered a new and most formidable world?

Be that as it may, what must here be noted is that even during the partial lull in imperialist expansion, between, say, 1770 and 1870, the expansion of Britain from her Indian base went steadily on in Asia. China, in the first opium war (1842) was decisively "opened up" : that is to say, she was forced to trade with the West, and in particular to allow her people to buy and smoke opium, whether her own government liked it or not. Nevertheless, the first major Western aggressions on China and the completion of the conquest of India can do no more than qualify the impression that there was, in the earlier decades of the nineteenth century, a temporary recession in the tide of European imperialism. It is often forgotten, for example, that, first, the loss of the American colonies, and second, the steady

9. The excuse, or at least the explanation, is to my mind to be found in the tendency of the greatest nations to get stuck at their point of maximum achievement, and so to function actually worse in a new age requiring new adaptabilities than nations which formerly were markedly inferior to them.

movement towards independence of the other "White Dominions" after 1834, meant for Britain the dissolution of by far the greater part of her previously existing empire. With the huge, but single, exception of India, there was very little of the eighteenth-century British Empire when you had taken away America, and were, clearly taking away Canada, Australia and New Zealand, in the sense that you had willingly entered upon policies which implied their eventual independence. What was left was essentially the West Indies (which were not highly valued in this period, since slavery in them had been prohibited) together with what were little more than trading stations scattered on the African and Asian coasts. The vast British colonial possessions of the next period had not yet been acquired.

This was the period in which the young Disraeli made his famous remark to the effect that the wretched colonies were millstones round our necks. More significantly the sober apostles of industrial capital, Bright, Cobden, the two Mills, the Gladstone of the middle period, would all have agreed that the future lay, not with empire, but in a free trade world of independent, self-governing states : that empire and imperialism were declining factors in the world. Nor did these representative figures of the period hesitate to express forthright anti-imperialist sentiments. For example, James Mill called the colonies "a vast system of outdoor relief for the upper classes". And John Stuart Mill made the more significant assertion that empire abroad was incompatible with democracy at home. "The government of a people by itself has a meaning and a reality, but such a thing as government by one people over another does not and cannot exist. One people may keep another as a warren or preserve for its own use, a place to make money in a human cattle farm, to be worked for the profit of its inhabitants; but if the good of the governed is the proper business of a government it is utterly impossible that a people should directly attend to it." (*Considerations on Representative Government*).

In a word, there was an anti-imperialist climate of opinion. An economic explanation of this lull in imperialism has been

attempted. It is that the new industrial capitalisms, of which Britain was much the most developed example, genuinely did not need to possess sovereignty over the lands with which they traded, at any rate to the same extent as either the merchant capitalist society had done, or as the latter-day fully mature capitalist societies were to do. As we have seen, the earlier mercantile imperialists drew but a feeble and wavering line between trade and plunder Once, however, industrial production has got going in an imperial centre, genuine trade with less developed countries can grow. The actual exchange of goods, of manufactured products for food and raw materials, begins to take place. Therefore, the physical subjection of the country traded with is not felt to be as necessary as it was. Naturally, it is still very handy to be able to control your customer and your supplier. We have noted, for example, that this power enabled the Lancashire mill-owners to trade on extremely favourable terms with the Indian peasants, to the ruin of the Indian handloom weavers.[10] That is why, it is suggested the mercantile empires did not valuntarily dissolve themselves in the first half of the nineteenth century : that is why, some major examples of such empires, such as the British in India and the Dutch in Indonesia, survived right through the relatively anti-imperialist period and formed the nucleus of the new imperialism which was to follow. Nevertheless the simple fact was discovered in this period that if all you wanted was to trade with some other country, then it was not necessary to occupy it. On the basis of that discovery an ideology of Free Trade and anti-imperialism, of liberalism in one of its aspects, could and did emerge. It

10. What reversals of fortune the onrush of modern history carries with it ! In the nineteen-fifties it is Lancashire which is afraid of the competition of the vast Indian machine textile industry. Fortunately, however, there is no question of the bones of the Lancashire weavers whitening the streets of Oldham and Blackburn. They are steadily transferring their labour to where it can be adequately productive, making electrical equipment, jet engines, atomic piles, machine tools, and the new synthetic textiles, instead of shirts. It makes an immense difference to be (a) free and self-governing; (b) a highly developed nation, and, I may add (c) for some dawning consciousness of how social and economic change takes place to have appeared.

looked and felt to the dominant ideologists of the day as if empires were at most waning assets with which a free trade capitalist world would gradually dispense.

My own view, however, is that this explanation of "the lull" is only part of the truth. In the light of experience we can now see that anoher factor made British mid-nineteenth-century liberal anti-imperialism possible. Britain was so strong, economically and in every other way, that she was not subject to any challenge from trading competitors. She had a sort of natural monopoly in her trade with most of the undeveloped world. In such a situation it was often unnecessary to incur the burdens and costs of territorial acquisition. If and when the indigenous authorities were willing and anxious to trade, why conquer them? For even without acquiring sovereignty over them, the well-organised, large scale British trading corporations had an immense bargaining power as against primitive, disorganised peasant sellers. As we shall see, the anti-imperialist climate of opinion in Britain was soon destroyed when, in the last quarter of the nineteenth century, traders from the now rapidly industrialising countries of continental Europe appeared upon the scene. And when the traders turned into *investors*, the climate of opinion in both Britain and in the rest of Europe became ferociously imperialist.

Paradoxically enough, the relatively anti-imperialist climate of much of the nineteenth century can be well appreciated from the tone and temper of the most famous of the declarations which helped to set the current of opinion flowing in the opposite direction. In 1883 Sir John Seeley published his two courses of lectures, delivered at Cambridge, upon *The Expansion of England* (Macmillan, 1883). This was a good ten years after the new type empires of capitalism proper, which we shall discuss in the following chapters, had begun to come into existence : and indeed Seeley is often thought of as their first apologist. Yet when we read him to-day, after three-quarters of a century, we cannot fail to be struck by his relative moderation and restraint. It is true that Seeley starts out by attacking the neglect of the imperial theme by contemporary British historians. He, rightly,

complains that in their accounts of the previous 150 years of British history they concentrate their attention upon minor internal developments while neglecting the tremendous story of Britsh expansion overseas which had resulted in the acquisition of a vast empire : the loss of the American core of that first empire : and then the process of re-expansion into Australasia, Canada and India. And it is in this connection that he uses the phrase, which is almost all that is remembered of his book today, that England acquired her empire "in a fit of absence of mind".

It is also true that Seeley is intent upon making his hearers, the Cambridge undergraduates of the eighteen-eighties, "empire-minded" in the sense that they are to concentrate their attention upon "the expansion of England" till she becomes as great in extent as in power. But the empire to which Seeley aspires is not the agglomeration of Asian and African possessions, the acquisition of which had just begun, and which was to dominate the lives of those Cambridge undergraduates. Seeley was almost certainly unconscious of the advent of this new sort of empire, of the imperialism of Rhodes, Stanley, Kipling and Chamberlain, of Curzon, Cromer and Milner. For him the empire consisted of two parts. First, what we should call "the old Dominions" *i.e.*, Canada, Australia, New Zealand, and (doubtfully) Cape Colony and Natal. Second, India.

It is upon the first of these two parts of the then existing British empire that Seeley concentrates his hopes. His essential message is a warning. He warns his readers that if they do not *both* rapidly develop these Dominions (confusingly to the twentieth-century readers he still calls them "the Colonies" as some of them still were) *and* make them into integral parts of the United Kingdom, Britain, in the coming twentieth century, is bound to be overshadowed by the two super-powers of America and Russia. He closes his introductory lecture with a remarkable passage in which, with, in some respects, wonderful insight into the future course of world events, he poses the alternative which he sees before Britain. He has no doubt that the Dominions will be very rapidly developed and peopled. In the eighties

there were, he writes, 10 million "Englishmen beyond the sea". But "in not much more than half a century" (say, by 1950) "the Englishmen beyond the sea—supposing the Empire to hold together—will be equal in number to the Englishmen at home, and the total will be much more than a hundered millions". What, he considers, in doubt is whether this empire will in fact hold together. If it does not—

> "Such a separation would leave England on the same level as the states nea-est to us on the Continent, populous, but less so than Germany and scarcely equal to France. But two states, Russia and the United Sta es, would be on an altogether higher scale of magnitude, Russia having at once, and the United States perhaps before very long, twice our population. Our trade too would be exposed to wholly new risks".

On the other hand, if England will only become sufficiently empire-minded, she may enter the big class of super-powers in the twentieth century.

> "The other alternative is that England may prove able to do what the United States does so easily, that is, hold together in a federal union countries very remote from each other. In that case England will take rank with Russia and the United States in the first rank of states, measured by population and area, and in a higher rank than the states of the Continent. We ought by no means to take for granted that this is desirable. Bigness is not necessarily greatness; if by remaining in the second rank of magnitude we can hold the first rank morally and intellectually, let us sacrifice mere material magnitude. But though we must not prejudge the question whether we ought to retain our Empire, we may fairly assume that it is desirable after due consideration to judge it".

We now know that neither of Seeley's prerequisites for Britain becoming an integrated super-state were to be fulfilled. First, the populations of the Dominions did not grow at anything like the speed which Seeley so confidently predicted. They lagged far behind the American rate of development. Why

that has been so, why the tide of emigrants set so much more strongly towards the United States, would form the subject of an interesting study. Whether the major factor has been inferior natural resources, or differing social policies, or other factors, might be discovered. Second, the Dominions have all developed into what are in fact independent states, very loosely linked to Britain and to each other in what we now call the Commonwealth. On this issue of federal integration, Seeley is weak. His vision of what he calls "Greater Britain" required the creation of a Federal State at least as unified, as he writes in the above passage, as the United States. Indeed, it is to be in some ways more integrated, for he also writes that when a man leaves England for Canada or New Zealand we ought to regard it as no different in principle than if he moved from Kent to Cornwall. Yet he makes no suggestions whatever for the creation of federal institutions for his Greater Britain. He appears blind to the fact that in his day Dominion parliaments were already well established and that they must surely lead towards Dominion independence. There is thus something unpractical and un-thought-out about his vision of a Greater Britain.

On the other hand, Seeley's is a by no means ignoble vision. It is not really a vision of empire at all, in the sense in which that word is used throughout these pages. Seeley's Greater Britain is to be a large Federal State, the parts of which happen to be scattered over the globe, but the citizens of which are to have absolutely equal democratic and political rights. There is to be no question of England ruling over the other parts of this empire, any more than one American State rules over another. Nor must there be any possibility of one part exploiting another economically, any more than one English country exploits another. For Seeley is acutely aware that it was the remains of old-style mercantile exploitation which broke up the first British empire by alienating the American colonists. Such a British Federal State would have been (had it been practicable) an incomparably higher and better organism than the fully capitalist empires which were in fact created, both by Britain and by the other highly-developed capitalism, in the half century since he wrote. For these empires were real empires in every sense of

the word : they involved the direct and arbitrary rule of one people by another and, inevitably therefore, the exploitation of one people by another.

Seeley, however, could not concentrate his vision wholly upon the Dominions. He could blind himself to the new British empire in Africa and Asia which was beginning to grow up around him, but he could not ignore the existence of the huge colony of India. In fact, he devotes many pages to India, for he is clearly worried by the issues raised by her acquisition and retention. He cannot foresee any possibility of India ever becoming part of a federal, integrated, Greater Britain. Yet he is convinced that Britain must continue to govern India. He is not wholly convinced indeed that the British conquest was originally desirable : but since it took place it must be maintained : it must be maintained, that is to say, *until Indian nationalism arises, but not a moment longer.* And he closes his fourth lecture with a memorable and enlightened passage :

> "We could subdue the mutiny of 1857, formidable as it was, because it spread through only a part of the army, because the people did not actively sympathise with it, and because it was possible to find native Indian races who would fight on our side. But the moment a mutiuy is but threatened, which shall be no mere mutiny, but the expression of a universal feeling of nationality, at that moment all hope is at an end, as all desire ought to be at an end, of preserving our Empire. For we are not really conquerors of India, and we cannot rule her as conquerors; if we undertook to do so, it is not necessary to inquire whether we could succeed, for we should assuredly be ruined financially by the mere attempt."

Nevertheless. Seeley, in the eighteen-eighties, cannot discern even the germ of Indian nationality. He considers that a religious movement of revolt is far more likely than a national revolt. The fact that almost as he wrote the Indian National Congress, which was destined to grow into a fully formed expression of Indian nationalism, was being founded was quite hidden from him. If he could have foreseen that in the coming

half-century his condition for the Britsh leaving India would be unmistakably met, he might have been regretful But I do not think that he would have gone back upon his emphatic opinion that it would be suicidal to attempt to stay.

Seeley's verdict upon the consequences of British rule for India is not boastful. He does not claim any remarkable improvement in the conditions of the Indian people : if we have "removed evils of long standing", we may have "introduced new evils". But one thing, Seeley writes, we have done. He is appreciative of the traditional wealth and splendour of Indian civilisation. But he remarks that, for whatever causes, that civilisation had become arrested at a stage broadly corresponding to the European mediaeval period. Just as in mediaeval Europe men could look back upon a splendid classical past, so the Brahmin was the heir to a perhaps equal heritage and tradition. (Seeley was still unaware of how rich, even on the political side, was the heritage of Asoka and of the Guptas). But because, we may surmise, of the catastrophes of the Moslem invasions, there had been in India no Renaissance and no scientific development.[11] The Hindu world view had, in northern India especially, become predominantly mystical, as a result no doubt of despair occasioned by the devastations of the Moslem conquests. Rationalism, in the Western sense, had had no opportunity to develop. Therefore "the most characteristic work of our Empire.. is the introduction in the midst of Brahminism of the European views of the universe". This may seem even to-day fair comment, though present-day scholars will probably say that there was never any definite thing called "Brahminism". Seeley indeed under-estimated the impact of the Western world, channelled through the British connection,

11. There had been, as I understand it, something analogous to the Reformation, in the great movement of Brahminical reform which in the end re-absorbed Buddhism and brought India back to her original faith. Moreover, that movement, in some of its phases, at some times and places (although certainly not in others) was puritanical and "protestant" in tone. But Europe would not have got very far with the aid of the Reformation alone and without the Renaissance and its associated scientific development.

upon India. He might have deplored the fact that it would produce that national consciousness the appearance of which he knew must be the term of British rule. But he did realise that the introduction into Hindostan of the post-mediaeval Western world view was our essential mission in India. For this was the intellectual counterpart of the "regenerative" economic development noted by Marx.

On the whole, Seeley's thinking and feeling, in spite of his intense desire for a Greater Britain, were free from the worst aspects of imperialism. He expressly repudiated the exploitations of the mercantile empires, for he realised that they were fatal to his vision. He had not yet envisaged the new forms of imperialism which were arising even whilst he lectured at Cambridge. And we may pay him the posthumous compliment of suppusing that he would have detested them. For his mind had been formed in the relatively anti-imperialist climate of opinion of early industrial, competitive capitalism.

That climate was now to change. In the last resort because, it will be submitted, of underlying changes in the nature of the economy of each of the most developed nations, an irresistible impulse towards imperial expansion was now to be experienced. Seeley's world outlook was to be engulfed by a mighty tide of imperialism of a new kind, the flood and then the ebb of which have been a principal factor in creating the world which we inhabit to-day.

12

NATURE OF INDIAN AWAKENING*

The Rise of Nationalism

Public opinion in this country is like a sea upon which the barques of Governments float; in India, it is like a sea beating against a coast, being rebuffed here and eating in its way there. Here, public opinion touches and emanates from the whole people, its sections represent conflicts in views of national ends, and it is responsible; in India, opinion is sectionalised in a totally different way. There is the public opinion of the British community, which is mainly commerlial, and has in time come to be inspired by the mentatity of a foreign race in possession; there is the public opinion of the steadily increasing section of educated Indians, which is not divided into Government and Opposition parties, but which is itself the Opposition, not responsible but critical; the mental state of the great masses does not amount to a public opinion, because it is concerned with the small local interests of a population whose world is its village.

The public opinion of the British community presents no great problems to the Government, except occasionally, as in the case of the Ilbert Bill, when it displays all the dangers of the opinion of a section in possession animated by two of the most reactionary of all political impulses—that of a superior race and that of an economically exploiting community. If its sense of security or its political dominance is threatened, it becomes vocal; and then through its press and its connections it

*From J.R. MacDonald : *The Government of India*, 'Introductory' and Chapter XVII.

becomes formidable, and can control the Government. It is from the public opinion of the educated and politically-minded Indian, however, that the great problems of Indian Government arise. The voiceless state of the masses imposes a responsibility upon the Government without providing it with clear guidance on political and diplomatic problems.

The contact between Great Britain and India awoke India. Educationalists like Hare, missionaries like Carey, administrators like Macaulay, taught the Indian Western modes of thought. The Indian read the historical and political works of the West, and they opened up a new world for him which he very soon entered with bold feet. The long-drawn-out swill of the French Revolution reached him,[1] and he thought as one to whom that Revolution was an inheritance. Now, the political philosophy and axioms of the West are an essential part of Indian life, and when its education came to India it brought with it the politics of nationality, liberalism, freedom. At first there was a revolt in social and religious custom. Everything native from dress to food, from ritual to social habits, was thrown off like a garment out of fashion. Everything Indian was old, superstitious, in a neglected backwater. At the same time the native newspaper and critical journal made its appearance, first of all under missionary auspices. Towards the middle of the nineteenth century the political harvest of this change began to ripen, and those men who had been educated in the English schools, or had come into close contact with British influences, began to take a definite interest in the government of their country. The period of mere revolt and copying had ended, and that of orderly assimilation and adaptation had begun. A dramatic little story is told of the founding of the Brahmo Samaj. The rebels had been worshipping for some time in a Unitarian chapel under an English minister. "One Sunday evening, as he (Rammohan Roy) was returning home from prayers with his friends, Tarachand Chakravartti and Chandra Sikhar Deb, the latter, in course of conversation, said to him, Dewanjee, we now go to a house of worship where a foreigner

1. *Life of Ramtanu Lahiri*, by Sir Roper Lethbridge, p. 75.

officiates. Should we not have a place where we might meet and worship God in our own way?' "[2] That impulse of "our own way" was the assertion of the quickening Indian nationalism asserting itself through Western influences, and this was by and by to find still more complete and satisfactory expression in politics.

The newspaper was freed in 1835, and the group of young Indians who had been fighting for religious and social reform began to think of an Indian press. Political fights with the Government had hitherto been carried on by Europeans—again commonly by missionaries. George Thomson, the anti—slavery orator, came to India in 1842 with Dwarkanath Tagore—the father of the poet—and delivered political addresses which stirred young and emancipated Calcutta, and two years later the pilgrimage of youths from India to receive education in England began. Criticism of the Government continued through the press, at meetings, and by associations like the Bombay Association, started in 1848. Some of these associations collapsed in time, but left behind them the soil from which successors sprang up. Lord Lytton's tenure of office (1876—80) was attended by continued protests and attacks from vocal Indian opinion (when men like Telang came to the fore as antagonists of the Government); Lord Ripon's (1880-84) by equally vocal support (the Ilbert Bill letting loose a flooa which brought political agitation in India to its highest level). Political currents were then running strong, especially in the centres of Madras, Calcutta, and Bombay. But the movement was not organised. In 1883 the Indian Association of Calcutta called a National Conference at which representatives from Bengal, Madras, Bombay, and the United Provinces were present. That year a circular was addressed to the students of Calcutta by Mr. Allan Octavian Hume, asking them to devote themselves to India, and as a result the Indian National Union was formed; and in 1884 a few gentlemen who had been attending a Conference held in Adyar, Madras, by the Theosophical Society,

2. *Ibid.*, p. 77

met and formed certain Provincial committees for the purpose of calling without delay a conference of the Indian National Union. This met in Bombay in December 1885—Poona, where it was to have met, having been visited by the plague—under the title of the Indian National Congress. Since then it has met each year at Christmas in one or other of the larger towns throughout India, and has been attended by some thousand delegates, appointed in a somewhat loose way by Provincial Committees. Since 1889 it has had a Committee in London which it finances and which publishes the weekly journal *India.* Thus India became politically articulate.

The resolutions passed from year to year at this Congress are the best indications of what interests are stirring in the mind of India. The first passed at the first Congress called for the appointment of a Royal Commission to enquire into the working of the Indian administration; the second, for the abolition of the Secretary of State's Council as being "the necessary preliminary to all other reforms"; the third demanded an expansion of Legislative Councils; the fourth formulated the historical claim for simultaneous examinations; the fifth protested against the increasing military expenditure and asked Great Britain to guarantee the Indian debt; the sixth declared that Uppear Burma ought not to be added to India, but be made a Crown Colony; the eighth referred the resolutions passed to the Provincial political associations.

Into a detailed history of the Congress I do not propose to enter. At first it was received with no official disfavour, and some officials actually attended it; but from the beginning the Government as a whole was hostile to what the *Times* correspondent described as "the Indian nation meeting together for the first time".

When it started, the Government was not sure in what relations the new movement would stand to it. It might be a consultative assembly which was to be a channel down which grievances were to run to Government offices. If so, it was to be countenanced. But it might be an Opposition, speaking

of confining the business of the Congress or the tone and purpose of its discussions to those limits which a gathering of a semi-official character would have had to adopt. They were opposed to the Government, and the resolution demanding representative Provincial Councils, adopted by the first Congress and developed in later ones, indicated that purpose. Moreover, they had something to say about policy, about taxation, and so on which was quite different in its intent from Lord Dufferin's original notions. Every one of the earlier meetings of the Congress gave it more and more of the character of an Opposition. For that reason it associated itself quite openly with that section of British opinion represented by Mr. Gladstone and Mr. Bright, and with Indian policy of the character of that of Lord Ripon; for that reason the Mohammedans declined to associate with it, as their leaders preferred to follow the suggestions made by Lord Dufferin and to remain in alliance with the Government. For that reason also, from the moment that it first met in Bombay, the National Congress was bound to fulfil the funetions and services of an Opposition to the Government—not a friendly, consultative Opposition, but an Opposition which challenged the status and the authority of the Government.

In taking up this position the Congress naturally met with the opposition of the Governmeent and of the British community. From this arose the volume of charges of disloyalty, of designs to end the British connection, and so on. None of these had ever any substance or foundation, but were the ordinary expedients which are adopted in political life to embarass an opponent and make his work unpopular. A certain section of people in the end believe in them, and they are added to those errors and prejudices which, like barnacles and weed on the bottom of a ship, retard progress.

A really serious matter was the attitude of the Mohammedans to the Congress. Taking the two communities as a whole, there was no confidence, but a good deal of hostility, between Hindus and Mohammedans. Mohammedans had fallen behind in education and push, and to fight side by side with

the Hindus they feared would result in their perpetual subordination. Their leaders therefore decided that their community would do best for itself if it kept out of any movement to organise an Opposition to the Government, and they adopted the policy of representation by deputation and concession by private influence.

The Mohammedan community had not been subject to such a revolt as disturbed Hinduism at the beginning of last century, when English schools were established in Calcutta and young Hindus threw off the restraints of their religion and customs. The Mohammedan offered a more sullen resistance to missionary effort, and indeed, later on, made it one of the causes of the Mautiny, and his mulvis kept a firm grip upon his education. His opposition to the Government was military and historical rather than political. But he was surrounded by a new life which increased in vigour, and which stifled him had he not accommodated himself to it. He mutinied, and was crushed ruthlessly after his short orgy of triumph. Then he sank again and slowly emerged, terribly handicapped by his long neglect of chances.

Hindus have a long gallery of leaders in their early struggles for influence; Mohammedans have but one—Sir Syed Ahmed Khan, and this remarkable man was responsible for the attitude taken up by his people.

Sir Syed Ahmed Khan was born in Delhi on Aprill 17th, 1817, and could trace his ancestry to Mohammed on both sides. He was educated at home by his mother, who was one of those able women full of worldly capacity and of no mean learning who, in spite of European notions, are not uncommon in secluded Mohammedan households. At the age of eighteen he entered the service of the East India Company, and in his private relationships held intimate intercourse with the Mohammedan literary circles of Delhi. He was Munsif in 1841, wrote a volume on the architecture and tombs of Delhi, and his interests were divided between literature and law. When the Mutiny broke out, he spent himself in the service of the

Company, and when it was over, in protecting his people from the horrors of massacre and unjust judgment which followed. He declined an offer made to him by the Government to become proprietor of a wealthy estate forfeited by a rebel chief. When peace was secured, he was possessed by the terrible prospect which faced his people. They were distrusted, they were ignorant, they were poverty-stricken. He determined to change all that. In 1858 he wrote his pamphlet on the causes of the Indian Mutiny to try to remove some of the prejudices against Mohammedans. The fundamental fault, he argued, was the division between the governed and the governor. There was nothing existing in Indian government "to warn us of the dangers before they burst upon us and destroyed us." He asked that native opinion should be represented on Legislative Councils. In particular he pleaded that the Mohammedan faith should be kept pure, and that officers of the Government should be discouraged from pursuing a policy, upon which they were said to have been very keen after the Mutiny, of openly supporting the preaching of missionaries and of giving official sanction to Christian propaganda. This was destroying all attempts by the state to educate the people, because the school suspected of proselytising was held in disfavour by Mohammedans. The colleges were equally suspected. The studies which the Mohammedan considered almost sacred dropped out of college curricula. Whilst this state of mind lasted, the Mussulman sulked in his tent. Such was Sir Syed's line of argument.

Sir Syed desired to establish a working agreement between East and West, and he appealed to the Mohammedans to become educated. He began in 1861. As the years went on he became less and less of a religious reformer and more and more of an educationalist whose aim was to reform and vivify the whole life of his community. In 1863 he formed a society to translate standard English works into Urdu, so that the Mussulman might come in contact with European thought and culture, and that Islamism might become liberalised by that contact. In 1870 he set about the establishment of a paper which disturbed the conservative equanimity of his people as Hindu papers had stirred Hinduism thirty or forty years before. Thus to some

extent he led his people on the pa.h which Raja Rammohan Roy had led his. But he did not go so far. His work gradually matured until the foundation-stone of Alighur was laid in 1877. Sir Syed had no English education, but it was whilst he was in England, studying our English institutions, that the characteristics of Alighur formed in his mind. The reasons for the separate college were : (1) There were few Mohammedans in Government schools and colleges. (2) Government education was suspected of being anti-Mohammedan. (3) Mohammedans desired a separate colleg .

Sir Syed was no sycophant in his politics, however. In 1866 he took an active part in forming the British Indian Association, which is rightly regarded as the forerunner of the National Congress, and he appealed to Indians to be more honestly outspoken as regards their political grievances and more assiduous in interesting the Imperial Parliament in the affairs of their country. He himself was a member of the Legislative Council from 1878 to 1883. There he opposed the election of representatives on Indian public bodies on the ground that minorities in race, creed, and caste would be crushed out; but still he felt the catholic nationality of India, and he said in 1884 : "We [Hindus and Mohammedans] should try to become one heart and soul, and act in unison. If united, we can support each other...We must each and all unite for the good of the country which is common to all." Of the Bengalis he wrote about the same time : "I assure you that Bengalis are the only people in our country whom we can properly be proud of, and it is only due to them that knowledge, liberty, and patriotism have progressed in our country...In the word Nation I include both Hindus and Mohammedans, because that is the only meaning which I can attach to it." And yet, when the Congress met in 1885, he was lukewarm. For three years he watched, and then came out in definite opposition. It was "not moderate and reasonable in its aspirations," nor sufficiently careful about the interests of "minorities, and very far from respectful or fair in its tone" to the Government. It believed too much in the "principles of government borrowed from the

West into the East without regard to the safeguards required by the different circumstances" of India.[6]

Sir Syed's attitude decided that of the bulk of Mohammedans, tended to widen the gulf between them and the Hindus, and strengthened the position of the conservative elements amongst them. It also had, for some time, an unfortunate influence on the Government, and not only encouraged it to harden its attitude to the Congress, but to take opportunities to pacify Mohammedan leaders and use them against the Hindu leaders. If, with Parliamentary thoughts in mind, we speak of the Congress as an Opposition, we may aptly say of the Mohammedan that he took his seat on the benches below the gangway on the Government side.

Yet this could not abide. It was shortsighted politics; Sir Syed's great educational work was turning out a young generation of Mohammedans moulded in the same intellectual moulds as the Hindu leaders; and there were from the very beginning some Mohammedans who did not share Sir Syed's later views and who associated themselves with the Congress.

The President of the third Congress was a Mohammedan, Mr. Budrudin Tyabji, and he paid some attention in his address to the attitude which the Mohammedans took to the gathering. He said : "I must honestly confess to you that one great motive which has induced me in the present state of my health to undertake the grave responsibilities of presiding over your deliberations, has been an earnest desire on my part to prove, as far as my power lies, that I, at least, not merely in my individual capacity, but as representative of the Anjuman-i-Islam of Bombay, do not consider that there is anything whatever in the position or the relations of the different communities in India—be they Hindus, Mussulmans, Parsees, or Christians—which should induce the leaders of any one community to stand aloof from the others in their efforts to obtain those great

6. Statement by Nawab Mushtaque Husain in explanation of Sir Syed's position.

general reforms, those great general rights, which are for the common benefit of all, and which, I feel sure, have only to be earnestly and harmoniously pressed upon Government to be granted to us." Mr. Tyabji spoke for the more educated Mohammedans in the urban areas like Bombay, Madras, and Calcutta; but he did not speak for the mass of his people in those districts where they were in the majority and had not been brought under Western political and social influence. There, Sir Syed Ahmed ruled.

For some years the Mohammedan pressed his own claims for education, office, and representation. The pace was undoubtedly made by Congress and the movement which it focussed, and the Mohammedan saw to it that he had his share in the advance. Through all the troublous times which followed, he was blamed for being the tool of the Government, and the disputes between him and the Hindu, especially in Lord Curzon's time, were frequent and bitter. When the Councils Act was put on the Statute Book and the representation of communities secured, the storm rapidly subsided. The advocates of communal representation had justified themselves—not by the fruits which they expected, but by uniting Hindu and Mohammedan on common tasks of endeavour and criticism.

Sir Syed Ahmed had done his work. His community had bestirred itself, had regained importance, and it began to feel that it could not act for ever the past of the mendicant. The facts about Indian nationalism to which Sir Syed had given expression came up like a new regiment into the field. Congress kept raising issues which Mohammedans could not oppose, kept appealing to feelings to which Mohammedans could not help responding; and the Hindus on the Legislative Councils drew their Mohammedan colleagues to them in the same way. When all was said and done, they were Indians, they had to face the same problems, agree and disagree with the same Government, and look in the same direction for the goals where they expected to find satisfaction. The masses of the two communities below might remain opposed in their ignorance,

and might riot against each other at their religious festivals ; the educated people at the top constantly found themselves comrades in the same battle where common interests counted for much, where differences counted for little, and where separatist superstitions were reduced to formalisms remote from practical political issues.[7]

Alighur had sent out its educated men, and they found their roads converging upon those where the educated Hindus stood a generation before. A Moslem Congress party arose, inspired by educated Mohammedans, and papers were published on Congress lines. In 1912 the Moslem League was founded. At first it sniffed at the Congress ; it did homage to Sir Syed ; like the devotee who feels heresy sprouting in his heart, it proclaimed its orthodoxy with loud fervour ; but its drift inevitably was towards the Congress. In 1913, at a public meeting at Cawnpore, the Hon. Mazar-ul-Haque, a leading Mohammedan, said : "The Anti-Congress Mussalman is fast becoming an extinct species and will have soon to be searched for in some archaeological museum."

When a Mohammedan press of critical politics appeared like the *Comrade*, it found it had no possible line open for it except that upon which the organs of Hindu Nationalism were running. The end was only a matter of time.

In 1916 the leaders of the two movements came together and discussed agreements, with the result that a common manifesto was issued containing the following points :

7. This is only what might be expected from the experience of certain Native States In Mysore, for instance, the most cordial relations between Indians and Mohammedans are the rule. There one reads of Mohammedans agreeing to close their cemeteries for sanitary reasons, approaching Hindus at festival times stating that they have no objection to music being played whilst processions are passing mosques, giving vegetarian feasts to their co-religionists at times of rejoicing. In this State the tradition carefully nurtured by practice is that the two communities shall co-operate and share in the public life of the State.

1. The Provincial Legislative Councils should consist of four-fifths elected and one-fifth nominated members; that the franchise should be as broad as possible, and that Mohammedans should be separately elected to a fixed proportion of seats; that the President should be elected by the Council; that the Council should have wide legislative powers.

2. That Provincial Governors should not belong to the Indian Civil Service; that there should be Executive Councils in each Province upon which members of the Civil Service should not sit, but half of which should be elected by the Legislative Council.

3. That four-fifths of the Imperial Legislative Council should be elected from the same registers as were used for the Provincial Councils and that one-third should be Mohammedans; that the President should be elected by the Council itself; that it should have freedom in legislation and authority in finance, including powers over tariffs and commercial legislation.

4. That the Governor-General should be head of the Government, and should have an Executive Council half of which should be Indian and be elected by the Imperial Legislative Council; that in legislative and administrative affairs the Government of India should be free from interference by the Secretary of State, and should not interfere with powers delegated to the Provincial Governments.

5. That the Council of the Secretary of State should be abolished and his salary put on the British estimates; that he should hold the same position to India that the Secretary for the Colonies does to the Dominions; and that he should have two Under-Secretaries, one of whom should be an Indian.

6. That India should be represented on all Imperial Committees, and that the British citizenship of Indians should be recognised in all parts of the Empire.

7. That in all Imperial military and naval services Indians

should be treated on an equality with other British subjects, and be allowed to enlist as volunteers.

8. That the Judiciary should be separated from Executive.

This is another joining of the waters, and the stream of Indian Nationalism now runs in greater force and volume. Hinduism and Mohammedanism are not political distinctions. They divided Indian society so long as that society was not political. But the last of these old generations is dying out, and the youngmen respond to other calls.

In tracing the evolution of nationalism amongst the Mohammedans, I have overrun the course of events in the Congress, and as they are important, I must return to them.

The Congress had met, resolved, and demonstrated for twenty years, and the results of its labours so far had been disappointing. A left wing of impatient men grew, and both the optimism and the authority of the old Congress leaders were challenged. It was felt that the mild methods of Congress, with its deputations to London and its annual declarations of needs, would never compel the governing bureaucracy to listen, and never gather behind them such a force of public opinion as would make the organisation a political power in India. Nor was that the only fault. The younger men were not satisfied with the Congress spirit. They wanted something more strenuous, something more thorough ; they wanted a crusade that would stir the heart of India, something with more self-respect and independent challenge. In their own hearts, India had received. It is all but impossible for the governing race to understand the feeling of a youth suddenly aware that it belongs to a subject race ; it is difficult for the people of that race who accept the comforts of the rulers to realise it. But to one who looks on as a keenly critical spectator, seeing everything in an uncoloured light and trying to understand what he sees, the extraordinary revival of Indian Nationalism from 1905 appears to be a miracle. The partition

of Bengal produced a new Bengali—a man who could organise, fight, assassinate. For the darker extremes of suppressed nationalism also began to appear, and in 1908 the first act of terrorism took place.

The weak handling of Lord Elgin and the masterful rule of Lord Curzon had, each in its own way, bred extremism among Indian Nationalists. Lord Curzon did not stay long enough in India to feel the blast he was releasing, and which his two successors had to endure.

In the early winter of 1905 a Liberal Government was formed at home, and Mr. (afterwards Lord) Morley became Secretary of State. His appointment put India on expectant tiptoe. "Now," the Congress leaders said, "we shall have our reward." But Mr. Morley found the burden heavy, and however valiant a shoulder he put to it, he could barely move it. The Secretary of State for India is not his own master. The extremists made the most of the opportunities which Mr. Morley's difficulties gave them, and the slow lumbering of the coach enabled them to jeer as Elijah jeered at the false prophets. With renewed vigour they attacked the "mendicant policy" of the Congress, and found heroes and models in the Nihilists, who felt that nothing but the bomb would burst the bonds of the common people of Russia. That, however, was only a small section of extremists. The other and by far the larger section remained a left wing of the Constitutional movement. It is always hard to do justice to men in the midst of the storms they have raised, and their opponents are rarely chivalrous or just enough to strive to do them justice. In another chapter of this book I describe the recent Hindu reaction, and most of the Constitutional extremists belonged to that school. They believed in India and did not believe in Europe. They believed in their own civilisation and not in ours. Their ideal was an India sitting on her own throne, mistress of her own destiny, doing homage to her own past. They shook the Government more than it has been shaken since the Munity.

At the Benares meeting in 1905 there was trouble. At Calcutta, in 1906, the Extremists, as they had come to be called, went from the meeting, but the places they left vacant were hardly visible. Nevertheless they represented a great body of young and aggressive opinion. In fact, Lord Curzon's administration was alienating in a wholesome way Indian educated opinion on account of its supine disregard of Indian feelings and thoughts. For the time being, the conditions of the peaceful government of an acquiescing people were rapidly departing from India. The Congress itself had to move, and at Calcutta it so far reflected vigorous opinion outside as to pass resolutions in favour of self-government such as is enjoyed by the Dominions, a national system of education, and the creation of native industries and the boycott of imported goods that competed with Indian manufacturers. Self-government was no new item of the Congress programme, but it was reaffirmed at Calcutta with an emphasis and in circumstances which threw down the gauntlet with some force; the education resolution was aimed at the policy then pursued of officialising the Universities and of making higher education a kind of Government nursery; the others were economic replies to political grievances.

The twelve months which followed were ruffled by agitation and unsettlement. The Congress gained no influence; the left wing grew both in authority and activity. The 1907 meeting was to have been held at Nagpur, but the conflict which awaited the gathering disrupted the Congressmen of that district and Surat was fixed upon. Garrulous rumour was busy. The Congress was to be guilty of surrender on this point and on that, precious to the Extremists. The assembling delegates went into two camps pitched some miles from each other. Over one Mr. Tilak ruled; over the other, Dr. Rashbehary Ghose, the elect President. There was to be a contest for the Presidency, but Mr. Lajpat Rai declined the Extremist nomination. Negotiations went on; deputations came and went between the two camps, and excitement rose. Before the opening of the Congress enthusiasts addressed their followers assembled early in the tent. The

tension reached breaking-point before it was time for the official actors to appear. At the very opening the storm burst, and the sitting was suspended, leaving Mr. Surrendranath Banerjea overwhelmed by the hostile demonstration. On the following day matters were worse. Within a few minutes of the opening a serious riot raged within the tent, and the sittings were suspended *sine die.* After a day's interval a remnant of 900 delegates—the original delegation numbered 1,600—met and decided to remit to a committee the framing of a constitution for the Congress. Indian nationalism had received a heavy blow—at the time it might have been its death-blow. Its old leaders, though a majority was still behind them, were nevertheless shorn of their glory, and the Congress was discredited.

This happened at a most unfortunate time. The spirit of the administration was changing, Mr. Morley was about to produce his Councils Bill, and the most formidable of all Indian political organisations was crippled just when Indian unity was most required and a concentration of Indian public opinion would have been most useful.

Outside, Bengal in particular and Bombay to some extent were seething with discontent. Papers like the *Bande Mataram* were suppressed ; the National Education Association was formed to supply a college education apart from the Government ; the industrial boycott was raging ; Arabindo Ghose, Har Dayal, Bipin Chandra Pal, Bal Ganga Dhar Tilak were busy with their propaganda of various kinds of Extremism, and the disturbed emotions were undoubtedly going deeper into Indian society than the Congress had ever reached.

The committee decided upon at Surat met, and a constitution protecting Congress against Extremists was drafted. At Madras that year the new Congress met, peaceful but weak, united but small. Congress was no longer a meeting-ground of all independent opinions and all Indian policies. Nationalism was defined and limited. A section, hailing chiefly from Bengal, asked that the new rules be submitted

to Congress for approval, but it was held that the drafting committee had absolute powers of settlement. That led to further trouble. In 1912 the chiefs of the Congress yielded, the rules were so modified, and a section returned again to the fold. But the Congress remain crippled.

In the meantime new channels had been cut along which Indian agitation might run, and new responsibilities imposed upon Indian politicians. In 1909 the Morley reforms were passed, and the Legislative Councils became Congress platforms. Thus ended the conditions under which the old Congress lived and moved and had its being. The Opposition to the Indian Government was to be found in the seats of the Legislative Councils, and new political conditions arose giving the Congress a new role to fill. Of course the transformation did not take place all at once. Indian opinion still required to be voiced by a political organisation, and in these feebler years the Congress was not without the triumphs. It compelled the Government to undo Lord Curzon's partition of Bengal, and it received the homage of imitation from the Mohammedans, who, in 1912, founded the Moslem League. It was an essential platform for Indian nationalism.

Then came the war and the new life. A Home Rule League was started, firmer and more definite in its demands than the Congress had been, and the younger and more vigorous elements of nationalism were attracted to that. But the Congress still remained the Congress, and at Calcutta in 1917 the Home Rule Leaguers and the younger elements forced upon the more conservative elements Mrs. Besant as President. The unity of the Congress was sorely strained, but it held for the meeting and a month or two later. Then upon the question of the attitude to the Montagu-Chelmsford Report, it broke.

This was inevitable. The new conditions of Indian politics and the growth of a new generation with changed minds uprooted old trees under the shades of which the older men had rested. The old Congress leaders like Mr. Gokhale, Sir

Pherosesha Mehta, Mr. Surendranath Bannerjea, have naturally passed into the ranks of statesmen. For them the mills of reform were grinding steadily. The others had no such reverence and no such faith. Congress had taught India to think and act politically ; the Morley reforms had obliterated the great non-political distinction between Mohammedan and Hindu but had made a breach in Indian public opinion between progressive and moderate. This is not a calamity such as the Surat split was. It is the natural evolution of things, and if it marks the end of the Congress as we knew it, that will not be regretted when it is seen that the Congress did not end thus until the political conditions of India into which it fitted and already ended.

The Indian Government ought to see that it is now faced with Indian opinion, and should begin its new task by throwing away all useless defences. It should change its angle of vision, for the nature of its work has changed. It is no longer that of a government of civil servants, but of statesmen ; its problems are no longer office and administrative problems, but political and legislative ones ; it can no longer be a committee of Civil Service heads of departments, it must be a Cabinet. And the change has come from without owing to the growth in Indian merit and self-confidence, owing to the strengthening of Indian opinion. Whilst we sat in our chairs of office, the halls and courtyards became full of people animated by a new will. The relation of our imperialist power to their obedience had been revolutionised. Our power now knows its weakness, their will its strength, and we need no writing on the wall to tell us that such things belong to the nature of freedom, and their fulfilment should be the pride of the nation that has done its work so well. They close ancient chapters, but do not end histories ; they change relationships, but not allegiance.

We must not make the mistake of meeting the demand for more legislative authority in the same dilatory, niggardly, and grudging way as we met the demand for some administrative places for Indians. On that road lies ruin or, at

best, baffling entanglement.

One of the pleas hitherto liberally employed by the Government has been that educated political India did not represent the India of the masses and that the European administrator entered more sympathetically into the needs of the people than the Indian who had been to Oxford, who was a lawyer, a journalist, a Bombay manufacturer, or a Bengal zamindar. The point was not without its force had it been used reasonably, had it not been employed as an excuse for Government maintaining its fortified citadels against the movements of Indian public opinion. There is not much in it now. The citadels which it defended have all but been forced, and yet, in view of the immediate future, both because of the controversy that still remains and of the settlement which has yet to come, the point cannot be dismissed without a passing examination.

Who compose the Congress ? This is the answer given by a Frenchman who voices the opinion of an influential section of officials (much smaller now, however, than when we wrote his book) : "This so-called National Party is really a party of privilege, a concourse of the representatives of the high castes and the rich classes, which is really a stranger to the nation on whose behalf it professes to speak......The little group of ambitious members of the upper classes."[8] This description is neither enlightened nor just, though it has a superficial truth about it. Any one professing to be a student of political conditions must know that such a description could have been aptly applied to the earlier stages of every Liberal movement. M. Chailley sneers at the only proof that could ever be given that India is awake politically. In the nature of things, political agitation could be begun only by the educated ; when it was undertaken by the masses it was the Mutiny ; and the educated were bound to be the professional classes—either having come from these classes

8 *Administrative Problems of British India*, by Joseph Chailley, pp. 164-5.

or having moved into them. In the sense of having amongst its delegates all castes, all grades, and all industrial classes, the Congress is not representative ; but the Congress is not the last but the first word in how to make Indian public opinion politically effective. In time, the bodies representing Indian opinion will be able to submit to more thorough tests than the Congress—and then the description applied to them will probably be : "a little group of ambitious members of the lower classes." The true representative is not one who belongs to this constituency or who has personal interests similar to those of his constituency, but who understands it and sympathises with it. That is the claim which the bureaucracy makes for itself, and it is open to Congress, though composed of "the high castes and the rich classes," to make it on its own behalf, and do its best to justify it.

Self-government is demanded first of all by those in strong social or economic positions. It was so in Great Britain, where the Liberal movement was middle class, rich and professional. The working classes come in later with their new causes of difference and tests of representation. The Indian movement is still in the first stage, and if the Congress satisfies that, it justifies itself. The lack of education and of self-confidence—mainly owing to caste—amongst the masses will make the transition from the first stage to the second in India far more difficult than it was here, but that does not excuse us for quarrelling with the first stage itself, or for refusing to see that and that only could be the characteristics of the commencement of the conflict.

The economic resolutions of the Congress do reflect the interests of the middle class and those in economically strong positions. For instance, if its views on land taxation and ownership had been carried out, the ultimate effect would not have been to benefit the cultivator, but to increase the amount of Indian rent enjoyed by private people and the ease with which creditors could seize the land of the agriculturists. Its commercial views have been generally those of manufacturers, and working-class needs have rarely absorbed the

thoughts of these Christmas gatherings. We have to remember, however, that the Congress has been a Nationalist movement as well as a Liberal one, and when Nationaltst issues are at stake, as history so abundantly shows, all other political considerations are in the background.

Congress, however, like our own middle-class Liberal movement, has been behind every attempt made ,to educate the people, and it has opposed the Salt Tax and drawn attention to the impoverishing effects of certain other forms of taxation. This also is a characteristic of parties in the Liberal stage of a country's evolution. Liberty has not received at their hands an ample programme, oppression has not been discovered in the many places where it has its authority ; but homage is paid to the one and war declared on the other. Therefore we can let things take their course. Speaking generally, Congress opinion is to find its way first of all into authority in India. It will create reactions, as all political movements in authority do, as indeed is seen in the Congress itself ; it will look at India perhaps too much from its own point of view and in the light of its own interests. What party in power in India or anywhere else does not ? The cure for that is not to keep an adult India in tutelage, but to hasten on a more general awakening and to form a more representative Indian opinion and will.

It must be observed that the more recent radical movements in Indian Nationalism—that headed by Mr. Tilak, for instance—have gone deeper down into the strata of Indian society than the old Congress movement did, and the villages are now being stirred by Nationalist propaganda. In tnis respect, again, the Indian movement is following the lines of our own Liberal, and Labour evolution.

A Nationalist movement, however, can never find full expression in a political party, because its liberty relates to the mind and not merely to the law. It must return to historical traditions ; it must give out its soul in happiness and devotion ; it must speak as its nation has spoken and

dance as its kindred have danced. In Ireland we have in recent years witnessed the revival of a Nationalist language, a Nationalist literature, a Nationalist stage, a Nationalist economic policy, and as these—the true tests of nationality—have been developing, they have carried with them an impatient condemnation of a political movement inspired by the experiences of Parliament and reduced to compromise and manipulation for success. India shows similar growths, and if the National Congress is somewhat neglected and looks like a plant losing its sap, that is partly because the political side of Nationalism must always be somewhat hard and its political policy hampered, circumscribed and uninspiring, whereas the more spiritual life of a national renaissance is of exalted and unlimited vision, is free, buoyant and creative, using the medium of art for interpretation and the subtleties of imagination for propaganda. The political leader, however free he may imagine himself to be, is bound to the thing he would destroy ; he who signs songs, tells tales, puts dramas on the stage, lives in a world of liberty and is apt to despise the bondsmen. Nationalism, however, needs both.

I shall deal later on with the religious movements of Nationalism. They may be regarded as conservative, as reactions away from enlightenment, as galvanisings of dead bodies into a false appearance of life.[9] That may be the attitude of the critical observer ; that is not how it strikes the devout Nationalist. And if we judge the matter impartially as a historical phenomenon, we shall not be content with regarding it as a movement in itself, and apart by itself, but shall consider it as an incident in a process. If India is to go forward as India, it must go back first of all to get in touch with the broken Indian tradition. However, we may regard this as

9. For instance, in the attempt to make the mythology of the Vedas symbolical of modern knowledge, soma, the food of the gods, has been identified with petroleum, and we have been told that in order to understand the Soma Pavamana hymns properly, we must know about "the oil fountains of Baku."

moralists, as students of historical processes, it should cause us neither surprise nor regret. It is the spirit of progress swerving to find refreshment, a base for a start, and an open road. The revival of the historical consciousness of India involves not merely a new historical school at the Universities, but a religious reaction which will, however, soon disentangle itself and in the end lead to the purification of Hinduism.

This reaction in religion has been accompanied by a return in art and literature to Indian inspiration. The revival of Persian, Mogul and Hindu art, though in inferior hands it is copying, in others, like the Tagores and Gangulis, it is a spirit and a genius. In the Tagore school of art one finds not only the style and subjects, but the feeling of the noonday of Indian painting, and one has only to walk from a "Royal Academy" annual exhibition in Calcutta to that of the Indian Society to understand what is going on. The West, which used to dominate the East, still empties its paint-tubes on to its paper and canvas, and strives in vain to capture that reposeful mastery which is like a presiding presence in all great art ; the other in a totally different world of thought and inspiration puts the pleasures and the attractions of its soul into form and colour, and fills its exhibitions not merely with frames and paintings, but with an atmosphere and a life. You have moved from one world to another, from Camden Town to Udaipur, in the space of a few hundred yards and in a few minutes of time in going from one exhibition to the other. And yet, let me note in passing, so great is the divorce between our Government and the Nationalists of India that when the former proposed to dispose of some of the Western daubs shown at the Calcutta School of Art to make room for true Indian work, the latter cried out that it was a dark plot to keep them ignorant. When the Government proposes to do good it is suspected of bad motives.

The same contrast is felt as regards the stage, although here the Indian has not produced genius. And yet, in

spite of crudities in acting generally amounting to terrible amateurishness, the difference between an English and an Indian play is striking. I have seen both done by the same company and during the same entertainment. The Abbey Theatre of Dublin has roused keen interest amongst those Indians interested in the drama—and the drama has always played an important part in Indian life—and the Indian follower of Kalidasa and Krishna Mitra returns to his own life for his subjects, stimulated by Sinn Fein. Dramatic societies are legion, and the programme of one before me whilst I write, announcing the production in the Punjab of a play by Lady Gregory along with two original plays of Indian life, is typical of many. I am sure they played Lady Gregory very badly, and to do homage to her did violence to themselves, and I am equally sure they played their own work with more success.

The fame of Rabindranath Tagore relieves me of the necessity to do much more than remind my readers of what they know regarding him. To the revival of Indian culture in all its activities Rabindranath has imparted the chief stimulus. Music, poetry, fiction, politics, have been enriched by his many-sided activities, and he is India without a spot or blemish. He has assimilated the West, but has at the same time transmuted it so that it is no longer West. There have been Indian poets before Tagore who struck a note of great distinction, like Toru and the other Dutts, but whilst their subjects may have been Indian, their demeanour and song were not. This one simple expression from the *Gardener* proclaims the culture to which it belongs, and transport one to India, its thought, its emotion, its method of worship. The imagery must recall to any one who has it stored in his memory the whole Indian scene :

"How can the body touch the flower which only the spirit may touch ?"

No mind of purely Western culture can ever fathom that sentence to its uttermost depth, or create from it the vision

which the poet had when he wrote it. Bankim Chandra Chatterji was a great novelist debased under the influence of the West, and doomed in his later work to traverse a world of fantastic romance and tinsel-decked heroes and heroines. Still he wrote the banned song, *Bande Mataram.* Tagore returns to where Chatterji went astray, and *Bande Mataram* is in every line of his stories.

I might embody this movement of the Indian spirit and intelligence in a list of distinguished names which, in addition to the four Tagores in philosophy, art and letters, would include Arabinda Ghosh as a religious teacher, Sir R.N. Mukerji and Sir Ratan Tata in industry, Dr. Ray and Dr. Bose in science, Munshi Ram and Principal Rudra in education, Mr. Gokhale in politics, Mr. Gandhi as a power over men. In law and journalism the names are too embarrassing in number and distinction for selection. In short, in all those activities which give distinction to a nation, and which express vitality, Indians are engaged and are doing work of importance.

Thus Indian Nationalism proves its claim to be a national renaissance, and gives a plain warning that it is much more than the agitation of political coteries. It is the revival of an historical tradition, the liberation of the soul of a people.

Religion and Nationalism

It has become a threadbare truism to say of India that its religion is its life. There is sober truth the unseen is lord of the seen. All its political and social origins are in its sacred books. Hinduism as a way of life is the trunk on to which everything else is engrafted and from which everything else draws its sap. It is therefore important to understand the currents now running in Indian religion—always remembering that in the bulk it is immobile.

When, early in the nineteenth century, missionary propaganda and educational influence created a revolution on the

surface of Hinduism, the sections affected were small. Only a few were really converted to Christianity ; the bulk of those influenced retained their Hinduism and joined in the resistance offered to the new proselytising. Hinduism was reformed in their minds, not overthrown. 'It was purged of some of its grosser practices, prejudices, and superstitions, its gods become transformed, but it itself became active in self-defence. The Brahmo Samaj was founded because in his heart the Hindu was unwilling to desert Hinduism, but was quite willing to became liberal and respond to the impact of Western faiths. If one were to say that the grand effect of Christianity and of Western education in India has been to throw Hinduism back on its purer origins, one would not be very far wrong, though the statement would not be quite accurate.

The change took several forms. Amongst the less emotional people of the north-west it was one of doctrine and of a kind of puritanical activity ; in Bengal it was more idealistic and led to the study of the poetical and spiritual expressions of the religion, like the *Gita*, and to symbolising the temple workship ; elsewhere it ran into various movements, some of them, like the Order of Ramakrishna which Vivekananda founded, being pure Hinduism ; others, like Theosophy, being a mingling of Hinduism with other philosophies ; others, like the Servants of India, concerning themselves with social reform and service.

Perhaps it was only a drop in the ocean. Hinduism believes and worships as before, its millions living and dying all unconscious of any change. But still, the revolution is to be influenced profoundly by these movements, and they have all contributed to its birth. The West has created the Nationalist movement in India not only by feeding the Indian mind on Western liberal politics, but by driving back that mind upon the entrenchments of its own patriotism.

First amongst Hindu revivals is the Arya Samaj, founded by Swami Dyananda Saraswati, the son of [a Gujarati

Brahmin, born in 1824. A dramatic little story is told of how the light came to Dyananda. When he was fourteen years of age his father took him to the temple to keep the Shivaratri fast, which entailed a night being spent in prayer to Shiva. As the night wore on the worshippers slept, but the boy kept awake. A mouse came out and crawling round the base of the image nibbled at the offerings. This struck the sensitive mind of the lad. If this image was Shiva, why did the god allow such sacrilege ? Awakening his father, he put his doubts to him, and finally received as his answer that the image was not Shiva, but that the devout praying to it found grace from Shiva. The boy would have none of this refinement, returned home, broke his fast, went to bed and slept. Henceforth there were no more idols for him, and the anniversary of this night is kept as a feast by his followers. Then death came into his family, and filled his heart with a yearning to fathom the mystery of being and not-being, of coming and going ; and in 1845 he ran away from home, and for fifteen years wandered in search of the teacher who would reveal to him what his soul wanted to know. After years of pilgrimage in search of truth, during which his greatest discovery was the debasement of Hinduism, he fell in with the blind Swamj Virjananda, to whom he became pupil, and who, when he had taught him all he knew, exacted the guru's fee which it was customary for the *Brahmchari* to pay, in the shape of a pledge that he would "devote his life to the dissemination of truth, to the waging of incessant warfare against the falsehood of the prevailing *Puranic* faith (faith based on the Puranas), and to establish the right method of education, as was in vogue in pre-Buddhist times." He went out into the world again, teaching and disputing, his call being : "Back to the purity of the Vedas." At a great meeting presided over by the Maharajah of Benares he met the pandits of Benares, and they claimed the victory and practically excommunicated him. But Dyananda was not a man to be overawed by the frowns of censuring pandits. His doctrine was that there is one God who is to be known, obeyed, and warshipped, who has never been incarnate and who cannot be approached by the worship of any deity but

himself. Caste is a political and not a religious creation. In 1875, after the Swami had come into contact with the leaders of the Brahmo Samaj in Calcutta, the Arya Samaj was founded in Bombay. But it took healthiest root in the Punjab, where Lahore may now be regarded as its capital city, and in the United Provinces.

This was a purely internal Hindu reform, a pruning of all the engrafted shoots upon the Vedas, a return to the authoritative doctrine. The most robust and prolific of these debasements of Hinduism were the claims of the Brahmin. These the Arya disallowed. The Vedas were a closed book to the people. That the Arya opened, imitating in this respect the restoration of our own Bible by the Reformation. Hinduism was a condition of birth. That the Arya denied, and threw wide its doors to any one who cared to enter.

In his defence of the Vedas as a sufficient basis for faith, the Swami came into conflict with Christianity, and thus gave the Arya its first tinge of aggressiveness which made it an expression of Indian nationalism. India was combating the world outside ; Indian religion was defending itself and rebutting rival claims. It had been an indefinite and indefinable collection of precepts and beliefs ; the Arya attempted to give it precision, at the same time enhancing its claims to great antiquity. The effect was to stop many Hindus from going over to Christianity and to anger missionaries accordingly. Nine-tenths of their attacks upon Hinduism did not apply to the Hinduism of the Arya Samaj. But the new Society carried the war of defence into one of offence, and conducted a propaganda against Christianity. Dayananda was no smooth-tongued controversialist, and his attacks upon our faith have been quoted to our annoyance and the detriment of his Society. He created passion as well as controversy. In a most interesting defence of the Society, written by Munshi Ram, the head of the Gurukul at Hardwar, and Ram Deva, of the Arya College at Lahore, a considerable number of pages are devoted to extracts to show that Christians themselves have not been so polite in the attacks made upon

the faith of each other or upon that of other people.[10] In any event, the Arya claim not only to have stopped conversion in certain districts, but to have drawn back converts from the Christian fold.

Herein lies the Arya's strength and the contribution it has made to the Indian spirit. It is aggressive. It makes no apologies. It challenges and fights. That is why, when it began to influence the Nationalist movement, as it was bound to do, the combative independence with which it conducted itself made it so detested by official minds. To belong to the Arya was to carry the badge of a seditious disposition.

It is, however, in its social and educational work that it has maintained Hinduism most effectually. From its foundation it has opposed child marriages, and has countenanced the remarrying of widows ;[11] it has been sympathetic with the outcaste and has sought to raise him ; and it has been specially interested in schools. In its educational schemes it has always sought to provide for women. Its chief living champion has admitted that "English education and Western ideas have played an important part in bringing about this change, but an equally great, if not even greater part has been played by an appeal to ancient Hindu ideals of womanhood and to the teachings of the ancient Hindu religion in the matter of the relations of the sexes."[12]

Its educational work is concentrated in two great institutions, the Dyananda Anglo-Vedic College in Lahore and the Gurukul in the neighbourhood of Hardwar. The former is

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10. *The Arya Samaj and its Detractors* : *A Vindication.*

11. It has not exactly approved of this, but does not condemn it. In any event the Arya in this as in other rules treats men exactly as it does women.

12. Lajpat Rai, *The Arya Samaj*, pp. 144-5.

associated with the Punjab University, the other is quite independent of Government control, either direct or indirect, but both are intensely national in spirit. Whoever, walking through the D.A.V. College, sees its rooms, the pictures and texts on the walls of its offices, talks with its officials and teachers, who are all Indians, cannot fail to feel how different is the atmosphere there from any of the other colleges in Lahore or elsewhere. At every point he is impressed by the fact that this is an Indian effort, and the reason for it is stated quite definitely in its literature and reports. "To secure the best advantages of education, it is necessary to make it national in tone and character." The present system of education in India "tends to loosen these ties [of nationality] or obstructs the beneficent influence of education from being fairly extended to, and beneficially operating upon, the uneducated," and is therefore "partial, and, from the public point of view, undesirable." "Foreign education has produced a schism in society which is truly deplorable." "This result, sad in itself, is the inevitable consequence of the one-sided policy of education imparted through a foreign agency, for whom it was simply impossible to appreciate the indigenous wants, and to apply a suitable method." The task of the founders of the college, therefore, has been "to make provision for the efficient study of the national language and literature, and carefully to initiate the youthful mind into habits and modes of life consistent with the national spirit and character.'" These are extracts from the opening pages of the first report of the college, and there is much more in the same strain. They make the purpose of the venture perfectly obvious.

Since 1886, the institution has been at work and has been served by teachers and officials who are wholeheartedly with its purpose, and who have accepted salaries very much less—sometimes nothing at all—than are paid in similar schools and colleges.

Even this college, with its determined Indian spirit, does not fully satisfy many of its supporters. Mr. Lajpat Rai,

speaking at a college meeting on Founder's Day in 1914, remarked : "But the discipline enforced and the life lived at the Gurukul at Kangri is more in accordance with genuine Hindu ideals than those in the college." This Gurukul to which Mr. Lajpat Rai refers is an offspring from the D.A.V. college. Its founders believed that the connection of the college with the Punjab University hampered it in its work, made it think too much of university examinations (in which it has had much success) and too little of sound national education, and prevented it from pursuing such a curriculum of studies as Indian Educationalists would devise were they free to do so. After being a dissentient minority on the college committee they decided to begin work of their own. In conversation with the head of the Gurukul, Munshi Ram, I had the following explanation of how he came to start the school. He had been a successful lawyer, but the spirit of religion came upon him and he shook the sins of law off his soul and sought peace in training youth. He had seen how English hampered the education of his own sons and so he desired a new method of instruction ; he was a devoted child of India and he cast out Western methods and returned to the ancient models. So in the jungle by the Ganges near Hardwar he began his Gurukul in 1902. When I was there 300 pupils were at the school.

The Gurukul has been the subject of much suspicion in Government quarters, and it has roused great opposition in missionary and other circles of Anglo-India. But its position is perfectly clear. In so far as the spirit of an independent India, declining to put itself unreservedly in the hands of the British, determined to preserve its own life and traditions, refusing to acquiesce in a denationalising educational system, is a menace to the Government, these Arya institutions are a menace ; but in so far as the ultimate purpose of Great Britain in India is consistent with the growth and nurture of a pure Indian conscience and intellect, these institutions are not only legitimate, but are experiments which the Government should watch with vigilant sympathy and

copy if need be with grateful care.[13] There are now several Gurukuls in existence.

Of, course, there must be political results from these institutions. Teachers, students, and ex-students must appear from time to time in Nationalist agitation and must contribute (as every dominational and government college in India does) to the ranks of "political undesirables." But the danger into which the Government ran in those trying years at the close of Lord Curzon's rule and the opening of his successor's was that it would classify everything that was pro-Indian as anti-British. Whilst it was running into that danger in insisted upon regarding the Arya and its works as dangerous political propaganda, and, unfortunately, it was encouraged in its error by biased and unbalanced critics who had an entry to journals of great influence in India and Great Britain. The years from, roughly, 1905 to 1910, will always be studied by statesmanlike Englishmen both in India and at home, as years of warning as to what British policy in India ought not to be ; and the terrible blunders into which officials and their friends fell regarding the nature of the Arya Samaj and the problems which it created will also be studied as illustrations of how easy it is for the best intentioned of people, afraid to face the liberating consequences of their work and to accept the changing circumstances for which they are responsible, to try, during a short time of thoughtless panic, to undo everyhing they have done. In one of Balzac's nightmare tales—*Don Juan*—he tells how a son anointing the dead body of his father with a magical fluid which was to bring him to life again, became terror-stricken with the return of the dead to life, and how, when only the head and arm were

13. The visit of Sir James Meston, the Lieutenant-Governor of the United Provinces in 1913, not only dispelled the official cloud under which the school was lying, but did a great deal to prove to the Indians that the Government had not altogether forsaken the many liberal declarations which it had made since the Crown became responsible for India. His kindly recognition of this school was one of many marks of wisdom which characterised Lord Hardinge's rule.

anointed, he dropped the phial and split the liquid, and the servants who rushed in saw a young, living head on an old, dead, decrepit body. The work of the British Government in India cannot end in such a horrible tragedy.

This virile, masculine, propagandist sect now numbers half a million adherents. Amongst Christians, amongst Mohammedans, as well as amongst Hindus, it works, drawing the two first to its energetic monotheistic faith, the last to its purified conception of Indian worship, inspiring them all with a patriotism which it never dissociates from its religion. The Arya is India armed against aggression—India solicitous for its own soul. "Nemo me inpune lacessit," it might take as its motto, did it not disdain to use a foreign tongue for such a purpose.

In the Punjab we find the more "dour" type of Hindu, serious, stubborn. He does not ascend into flights, His mind runs in channels of "the law and the gospel." In Bengal it is different. The Bengali is more impulsive and volatile, more poetical and imaginative, in religion more of a ritualist. The revival of Hinduism there has therefore taken a different form. Dealing less with creed, it has gone into literature and ritual, and has been attracted by the more ceremonial and sacrificial aspect of Hinduism. It has taken the *Gita* as its typical gospel, and Sri Krishna as its characteristic deity, and it has lit the fires of its heart from the flaming emotions of this song and the seductive abandon of this hero. The *Gita* expresses heroic action as the Sermon on the Mount expresses heroic passivity. It is very curious that the most beautiful poetry in the sacred books of the East, the temperament of which is always supposed to the contemplation, deals with battle and knightly sacrifice, whilst that in the sacred books of the West, the temperament of which is supposed to be bustling action, upholds the virtue of turning the other cheek.

What wells of the purest spiritual draughts and most invigorating refreshment lie amidst the tangled, weedy growths

of Hinduism. Who is there who has read the beautiful contemplations of Sri Sankaracharya on man's soul—the individual Self and the universal Self—can fail to do homage to the religion contained therein, the devout attitude of the seeker who has to remain in the outer courts, and, from the glimpses seen there of the Eternal within, fashion hymns of faith and creeds of satisfaction ? If religious philosophy must always at a point move from the mastery of reason into the music of emotion, where is there to be found a more chaste transformation than in these hymns ? If religious action must in the end lead to the triumph of sacrifice, defeat, and death, where are its energies enshrined in more fitting emotions than in the finer chapters of the Gita ? What I may call the neo-missionaries, like Mr. Farquhar,[14] may urge the incompleteness of Hinduism and the superiority of the Christian faith in relation to a liberal civilisation, but the Indian who has a bias in favour of creeds which belong to his own history finds in his own religious books enough spiritual energy and ennobling thought to serve him as as a patriot, to guide him as a citizen, and purify him as a man. In any event, just as it was in Japan, the Indian national movement has reacted upon creeds, and the young Nationalist inspired by the conceptions of Indian self-government has also responded to a revival of national religion, sometimes in the crude form that the revival of the Ganpati festival at Poona took, sometimes in the more spiritual forms which were followed by men like Arabinda Ghose and Bipin Chandra Pal.

The revolutionary movement in Bengal has been based upon a return to Hinduism. A few agnostics, the products of English education and Western philosophy, led in it, but its strength did not lie in them. Even they, in garb and outward habit, returned to India. When Har Dayal was as far removed from religious Hinduism as I am, he discarded English dress and appeared, even in England, in kurta and dhoti. Most of the extreme left of the movement performed their temple duties with scrupulous devotion and regarded their

14. *The Crown of Hinduism.*

political action as part of religious duty. The dirt of superstitious ages had gathered upon their idols, but they set about to restore and idealise them. Their worship symbolisedl ife in its bounties and shortcomings, in its promises and failures, and their writing is full of this renaissance. Bipin Chandra Pal's book may be taken as a guide to this revival.[15] "All these old traditional gods and goddesses," he writes, "who had lost their hold upon the modern mind, have been reinstalled with a new historic and nationalist interpretation in the mind and soul of the people. Hundreds of thousands to-day as Durga, Kalee, Jagaddhatri. These are no longer mere mythological conceptions or legendary persons or even poetic symbols. They are different manifestations of the Mother. This Mother is the Spirit of India. This geographical habitat of ours is only the outer body of the Mother . ...Behind this physical and geographical body, there is a Being, a Personality—the Personality of the Mother is a Being, a Personality—the Personality of the Mother.....Our history is the sacred biography of the Mother.. . We, her children, know her even today as our fathers and their fathers had done before, for countless generations as a Being, a manifestation of Prakriti, as our Mother and the Mother of the Race. And we have always, and to still, worshipped her as such." It is easy to blow these words about like thistledown before the breath of Western materialist philosophy and "commonsense" ; but for historical purposes, and for purposes of understanding the mind of Bengal, they stand. This strong back current towards Hinduism floats most of nationalist extremism on its surface. It is the creation in the minds of enthusiasts of an India which is a goddess demanding everything from her sons that has given the Government of India so much trouble recently. It is necessary to sift the husk from the corn in this movement and to understand what is good in it as well as censure what error it may contain. The intense consciousness that they are subordinate and subject cannot be plucked out or beaten down in the Bengalis' minds, and this creates a re-

15, Pal : *The Soul of India*, pp. 187 ff

action to tradition. The return to Hindu culture cannot be stopped. Indeed, so unlovely and barren would India be under an unchallenged and undiluted Western culture that the reversion to native roots and types ought to be welcomed. Our task is to help towards purification, trusting again to the natural procession of consequences to lead the Indian to some satisfactory goal. It is easy for a people to deify a land which they think is oppressed ; it is natural for a people like the Indians, who are born hero-worshippers, to embody their spirit in gods and goddesses. Then, persecution does not suppress error and extravagance ; it only intensifies them. Meanwhile this religious reawkening in Bengal seizes upon everything which adds honour to India and cherishes it like a jewel. Places of honour at examinations in Oxford and Cambridge, the achievements of a Dr. Bose or a Dr. P. C. Ray in science, the work of Indians in the administration, the winning of V.C.'s at the front, the socrifices of youths on the scaffold, are all treasured for laying at the feet of the Mother and enriching her. In the Punjab there is a belief in India ; in Bengal a worship of India.

Such movements at their best can often be most profitably explored by a study of the work of a man, and such a man exists in Bengal. Rabindranath Tagore is known to the West almost solely as a poet. But Tagore's poetry is India. It is the product of his devotion to Indian culture ; it belongs to a revival in Bengali literature which comes from the heart of Bengal far more purely than Chatterji's fiction. It is of the soul of a people, not merely the emotion of a man ; a systematic view of life, not merely a poetic mood ; a culture, not merely a tune. Its counterpart is those burning sentences in which he has time and time again contemned the civilisation of the West ; its companion is the work of his nephew, Gogendranath Tagore, who has revived Indian art with the devotion and soul of a worshipper. And just as in the Punjab the D.A.V. College and the Gurukul proclaim that educational systems spring out of the national spirit, so in Bengal, Rabindranath Tagore has expressed that fact, too, in his school at Bholpur which meets in the ashram and the gardens

where his father retired for rest and contemplation. This again is characteristically Bengali and has none of the rigidities of the Punjab spirit. Its classes are open to English teachers, and there are two three now. There is not the same Puritan following of the ancient ways as in the Punjab, but it is Indian and Independent, and its worship is the ancient worship of the people. I have spent a few days there as a guest of the school, and its atmosphere and demeanour are as different as can be conceived from those of British-managed institutions.

In Madras there has been little upheaval. Its educated people have responded to the Nationalist movement as politicians, not as devotees. It is of the south. But there is a purifying process going on. It has responded especially to theosophy, which has its headquarters at Adyar on the outskirts of the city.

I need not enter into the controversies which the work of the Theosophical Society has raised. Its influence has been great in the awakening of India, and that influence has been described by Mrs. Besant as "the revival of the Eastern faiths, the checking of the destructive effects of missionary zeal, the establishment of an Indian ideal of education, the inspiring of self-respect in Indians, of pride in their past, evoking hope in their future and the creation of the national spirit now throbbing throughout the land."[16] From the annual meeting of the Society held at Adyar the Society's headquarters, in 1884, came the inception of the Indian National Congress, and since the Society has passed under Mrs. Besant's influence it has become far more Hindu in its inspiration than in the days of Madame Blavatsky and Colonel Olcott. From its activities have come the Hindu College in Benares on the one hand, and the Home Rule League on the other.

In Bombay, the religious side of the revival has not been

16. *The Indian Review*, October 1913.

very marked (though Mr. Tilak bases himself upon religious Hinduism) and has been overshadowed by its political side. I have always found it difficult to get an emotional grasp of spiritual life in Bombay, whereas a political and historical grasp is easily attained. The Nationalist movement on this side of India has been kept largely in the hands of men who were politicians first—like the Parsis Sir Pheroseshah Mehta and Dadabhai Naoroji, the Brahmins Tilak and Gokhale, the Mohammedans Tyabji and Jinnah. The new spiritual forces which have revivified India in the Punjab and Bengal have hardly disturbed Bombay, though they have made themselves felt. The Tilak religious movement, however, shows none of that new life which recreates the gods whilst it preserves them. It is only a revival of the ceremonies of orthodox Hinduism—Ganpati festivals—prompted, his enemies say, much less by religious fervour than by political designs. Gloomy and resentful historical events are still too clearly impressed upon the minds of the Bombay Hindu leaders to allow the spirit of a purified religion to inspire the Nationalist movement.

But taken in the mass, the religious and heroic tales, creeds, and conceptions of India lend themselves admirably to a Nationalist revival whether conducted on the legitimate or illegitimate lines, and the day has gone by—it was never anything but an interlude of reaction—when Western modes of thought and habits of life stood out in the sight of Indians as perfections to copy.[17] India has returned upon herself and is finding guidance from, and pride in, her own past.

I must now turn to the more direct results of Christian propaganda and try to estimate their place in Indian life. A few sentences will suffice for its purely destructive and negative effects which are found amongst the educated and partly educated classes.

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17. When the Brahmo Samaj became cosmopolitan under the influence of its great and only leader, Keshub Chunder Sen, it ceased to appeal to India.

When a creed is attacked as Hinduism has been, not only by a new culture, but also by the direct assaults of a rival faith, the attack is evidenced not merely by an awakened allegiance to the spirit of the old creed and the conversions to the new one, but also by the destruction of all credal belief. I was once shown round a Khalee temple, famous for its rites, one of the most frequented outside sacred cities like Benares, by a Hindu dressed in a compromise Eastern-Western garb, who had been at a university and had a superficial smattering of Western knowledge. He discussed what was being shown to me with a semi-cynical detachment, certainly with no devotional attitude. Much to my surprise I found afterwards that he was one of priests. Too much importance must not be put upon this, however, as religion has always sat lightly on many Hindus, especially of the priestly caste, but some reading of Herbert Spencer and Reynolds's novels, together with some knowledge of Christian criticism, had eaten into the foundations of this man's creed, without supplying him with a new one, and in this he was typical of a considerable section of his fellow-countrymen who had been taught the absurdity of seas of treacle without being led to a belief in rivers of crystal. The mentality of these men remains Indian, but they have been emancipated from Indian beliefs. They have creeds, but iconoclasm has shattered faith. Amongst them, Christian activities have been merged in the sum total of Western influence. They belong to a separate group of hybrids, the future of which is doubtful. They are struggling to find a new spiritual soil and certainly have not yet succeeded in their quest. Amongst the masses the case is different.

Christianity in India has not only a long history, but one which begins in myth and fable. St. Thomas himself is said to have been the first missionary, and the quaint little Catholic settlement at the Little Mount outside Madras includes the cavern church where he is said to have worshipped, and is the place of his reputed martyrdom. On the western coast of Southern India are Christian populations whose conversion came by Syriac apostles and whose Christian rites and social

habits are twisted and gnarled by age and the pressure of native circumstance and superstition. There are Brahmin Christians who wear ths sacred thread and practise Hindu ceremonies; there are Hindu Christians who maintain the habits of caste as rigidly as the most orthodox; today the Christian Church, especially in the south, is divided as to whether the outcaste should be baptized from the same font and in the same place in the church as the man of caste, and should sit with him at worship and Communion. In some villages there are different churches for different castes. Christian Hindus often perform ceremonies forbidden by one or other of their creeds, and they then close the doors of the temples or cover the faces of their gods lest the divinities that would be offended might see. They sin, as they think, securely behind the backs of their gods, Christian and Hindu alike. Christian Hindus have been known, when migrating from one village to another, to take with them the image of the goddess which protects them from cholera, to build temples for Hindu gods and employ priests to minister unto them out of mission funds. "Near Negapatam," says Mr. Sharrock,[18] "the Roman Catholics have a famous image called the Potter's Virgin, who is specially noted for her miraculous powers and is visited by thousands of pilgrims, Hindu and Muslim, as well as Christian. The Roman congregation at A—determined to get the Virgin also to their village, and so erected a wooden cross to which she was supposed to be transferred, and this was put next to Karumbayi's stone [the cholera goddess] and surrounded by a number of minor deities. Karumbayi, however, signified her disapproval of the symbol of a cross in her neighbouroood, and so it had to be placed elsewhere. They say that the two goddesses are sisters, and St. Thomas and Anthony are brothers, while prayers are offered to all four indifferently." Famine and pestilence bring worshippers who bear testimony to their Christian faith just as the Hindus under similar stress bear testimony to their belief in their gods.[19]

18. *South Indian Missions*, p. 291.

19. We find a similar thing in Eastern Bengal, where the people are Mohammedans by profession, but Hindus by supeistition.

The propaganda of the Christian missionaries is not exactly what many people at home imagine it to be. The vision of an earnest and faithful man preaching, preaching, preaching the evangel of Christ with all its superimposed creeds and theologies of Catholicism, Episcopacy, Presbyterianism, and so on, is but an imperfect vision of Indian mission propaganda. Sir William Hunter writes in *The Old Missionary* : "I asked why he laid so much stress on teaching, as compared with the preaching which formed the popular idea of a missionary's work. The reply was : "I have never forgotten John Lawrence's parting words to me when he passed through Calcutta on sick leave in 1840 : "The only way that will bring the natives to truer and more enlightened ideas is the gradual progress of education." John Lawrence's words have been adopted as the motto of Indian missions. Of course one has to remember that in mission work, as in everything else in tndia, there must be variety according to circumstances. The problem of a missionary working amongst the educated youth of Calcutta is not the same as that of one working amongst the Ghonds of the Central Provinces. The clash between philosophic Christianity and Hinduism which occupies the thoughts of the missionary faced with the Brahmo or the Arya Samaj implies a propaganda quite different from that which is to appeal to the outcaste in Bombay or the Santal in Seoni. But even amongst these latter the propaganda is becoming more and more indirect. Amongst the ignorant peoples whose religion is really not even Hinduism as taught in the Vedas or anywhere else, but the survival of far more ancient beliefs and ceremonies, the missionary comes less as a preacher than as a friend and protector. He cures the sick, he defends the oppressed. Through the doors of friendship comes the Christian creed. The physician preaches the gospel and the friend of the friendless catechises about its creeds. It is not the dogmatic way of opening the doors to heaven, but it opens them all the same. One has only to drop into one of those humble mission churches on a Sunday evening to see that in some hearts the good seed has fallen and germinated. The spiritual light in these churches may be dim, but they seem to come up close to you in their smallness and bareness. The

worshippers sit on the floor and they cannot forbear to look around and be lively and take a homely interest in a stranger. The hymns and scriptures are in an unknown tongue and yet bring into memory the familiar worship at home. There is devotion, and there is happiness in these tiny places. But the missionary is far more than a preacher. He is the father and ruler of his flock, who before he came amongst them had not a champion in the world. Some of the older type of Scottish missionaries, the men who came from the bench or the workshop originally, with their hearts full of "love and pity for the heathen, "filled this role of ruler as well as preacher with a gifted power. Stern, rugged men, with a rich endowment of commonsense and an overbearing and commanding personality, they turned the mission into a State. That type is disappearing, though in the outlying districts it has still much work to do. But in the towns, the football university Christian is taking the place of the workman missionary. Hinduism is not now to be stormed by a rival system ; it is to be dwarfed and dwindled by a new atmosphere, or it is to be transformed out of itself into Christianity by its own internal forces of growth, quickened by the influences which Christianity has brought to bear upon them.[20] Thus the mission lays more and more weight on education, not only that Christians may be able to read, but because the subtle and creative atmosphere which is most congenial to Christian influence is suffused by education ; and it is not so much the Christian creed that is propagated (though of course this is done all the time) as the social implications of Christianity which Hinduism cannot satisfy. The Church thus ceases to be Christ's body and becomes Christ's spirit. So it can be said : "Government official" from the Viceroy to the lowest subordinate, stand side by side with the missionary in this sacred and holy ministry."[21] I know how fine are the men who are at this work, but I wonder if they can succeed. Particularly do I wonder if they do not lose sight of India, because their

20. J.N. Farquhar, *The Crown of Hinduism.*

21. Lucas, *Our Task in India : Shall We Proselytise Hindus or Evangelise India ?*

little group of converts and would-be converts stands so close round about them. All the while, however, they are creating India because they are not making converts so much as emancipating men's minds, breaking down old social divisions, and purifying old faiths. At one Christian college I came across a bright attractive-looking Mohammedan lad who told me he was studying under Christian influences in order to be "a good Mohammedan." I am not sure that they are aware of the full significance of this new missionary method, though it is felt by men like Mr. Andrews who used to be at St. Stephen's College, Delhi. They are grafting their new cultures on Indian stocks and in their own minds a curious Indianising process is at work. They are converting and being converted at the same time.

The statistical results of centuries of proselytising are not very massive, but no one would ever think of measuring the effect of missions in this way alone.

There are 4,000,000 Christians in the Indian population of about a hundred times as many, and they are mostly drawn from the outcastes and the lower social classes.[22] Progress is slow, and of the 4,000,000 a large number can hardly pass muster. They are poor dear children of dim and uncertain light, but they have been baptized. By no means have they all been converted individually. Economic motives have often determined their profession of faith, and the great colleges founded and maintained by missions have yielded but

22. "Of the whole Christian community in India 90 per cent. have come from the depressed classes, or the outcaste community. Of the remaining tenth of the community, about four-fifths are from the respectable Sudra classes. Of the remaining one-fiftieth, most are from the Muslim faith ; of these again the majority were originally members of the Hindu community, but they passed through Mohammedanism into Christianity. Probably not more than one in a thousand (of the whole Christian community in India) comes from the Brahmin Caste" *Year-Book of Missions in India*, 1912, pp. 203, etc.

scanty harvests in converts. Few missionaries are happy about the result, and there is a perceptible movement in favour of closing miscellaneous colleges, making these institutions purely Christian, and specialising missionary activities upon residential halls where students may congregate. The residential college and college hall are, for the time being, the new toy of the Indian educationalist. It is a good toy, but as I have walked through it I felt that its story would ultimately be read in the history of the disappointments of well-meaning men who have striven "to bring from afar good to India." Its success will depend upon how it is worked. I could name some of these institutions which I have visited and carefully scrutinised, and they will fail and fail badly ; I have seen others which may succeed in supplying an atmosphere of reverence, of culture, of education to the Indian student.

But I write of the Christian mission here as at once the creator and the settler of great political problems. So soon as education penetrates to the very bottom strata of Indian society and political ideas follow it, the outcaste will become a mighty Indian problems. A few educated and intelligent outcastes with some determination and strength of will could raise that problem in a pressing form. For the challenge which a handful of such men could throw at Indian society would find that society unable to resist and would alter at any rate its political expression. One man breaks down a barrier and in his footsteps all men may tread. Here is the real revolutionary effect of missions.

This mission field is of immense width, and no friend of missions need be disturbed because his successes are "only amongst the outcastes." Paradoxical though it may seem, it is really one of the plainest and simplest of truths, that whoever emancipates the outcaste emancipates India. In India there are 50,000,000 outcastes (divided amongst themselves by caste divisions) scattered throughout the country, whose very shadow is a pollution, who live outside villages or in town districts under conditions unspeakably bad. The outcaste's lot is worse than that of the beasts who do not

understand; his religion is of the most primitive kind, his superstitions are appalling. Fear lurks to greet him in every cornor, and terror comes with every unusual occurrence. Pestilence dwells in his midst. Often sold with the land on which he works, often pawned for debts, he is not treated as a human being at all. He is known by a name which is applied to everything outside the pale of kindness and consideration. He eats filth, his drinking habits are disgusting. The most respectable labour to which he can put his hand is work on the fields, and when that is not to be had, he becomes road-mender, scavenger, or anything that no one else will do on account of its nature or of prejudice against it. In the eyes of the law the outcaste is equal to a Brahmin, but the law is only a sentiment. He may acquire property, but it is constantly encroached upon; he must be servile in all his attitudes; sometimes he may not even approach a public place like a post-office. He is habitually in debt and pays without murmur most extortionate interest. The caste man has no scruples against fleecing him. Twenty-five per cent. per annum, not always honestly levied, is a common rate of interest to impose upon him. Yet he manages to be happy. You meet him smiling. He is said to have a good sense of humour and he is fascinated by rhythmic beatings of tom-toms. He accepts his lot. I have written of him as if he were all alike, but that is, in reality, not the case. He varies, but these are his typical characteristics.

Yet, in some districts, he is the descendant of ruling dynasties and the remnant of an imperial and conquering race. Sindh was once ruled by Sudras.[23] The masterpiece of Tamil literature was written by a pariah; in the south of India, Sivaites worship the deified Nanda, who was a pariah. Even to-day, in spite of the accumulated disadvantages of many generations of neglect and outlawry, many able men are included amongst the outcastes, and their children do well

23. "In one country we hear of high-caste Hindu princes receiving the *tilak*, or mark of investiture, from Bhil or Mina tribesmen." Baden-Powell : *The Indian Village Community*, pp. 89-90.

at school. The aboriginal converts in the Chota Nagpur district have made such progress in education that a college has been established for their boys. Of the Indian Christians who do so well at Madras University many are of outcaste descent, and such men are to be found in colleges teaching Brahmin youths. But if they are appointed to a public office the responsible officer is generally threatened with all sorts of disapproval. Many who claim the benefits of the Queen's Proclamation that no favour will be shown in appointing any of her Indian subjects to public office assume that it does not apply to the pariah—in any event they have no intention of applying it to him.

The effect of Christian propaganda is to bring within the pale of the political community this class, enormous in numbers, not altogether mean in capacity, but weakened in will and self-confidence by long generations of servility. As they are taught to lift up their heads so will they become of some political importance, but that is a slow process. Still, the beginning is made, and with it the most serious assault yet delivered against caste, and the most doughty blow yet struck for the liberation of Indian genius and intelligence.

Caste is by far and away the most predominating influence on Indian life. Begun to protect the higher civilisation of the invading Aryan from Dravidian and other aboriginal contamination, it has developed both in theory and in practice into a rigid religious and social organisation, the breach of which is attended with the direst consequences. Amongst the more educated sections its rigidity is slackening, but its spirit remains ; amongst the masses its power has hardly been weakened. In fact, to-day amongst the masses of the people, so ingrained is the spirit of caste that new castes are being formed. Communities, trades, and other groups seek social distinction and privilege by declaring that they belong to a caste, and they can usually get their claims sanctioned by some accommodating Brahmin who supplies them with a pedigree of race for a fee in the same way that the College of Heralds supplies an upstart at home with a coat of

arms.[24] It perhaps matters not. Caste can be broken either by being destroyed or by being made universal, as the glory of titles may be dimmed either by republicanism or sycophancy, by their abolition or their extension, after the manner of recent Honours Lists.

Some of the Hindu communities, like the Arya Samaj dispute the authority of caste, but even amongst Christians it retains its power. "Striking as has been the success of Christian mission, it must be admitted that this great success has been nullified and vitiated to a great extent by the admission of caste into Christianity."[25] The caste mind is not only fenced round with social advantage, but with religious faith and heroic indeed is the man who defies it. All the curses of the cruel hundred and ninth Psalm fall upon his head. He is cut off from his kin and his inheritance, his children are left unwedded. In the bazaar no one will trade with him ; he must not cross threshold of his temples. When he dies no one will carry his body to the burning-place. He is out-cast upon earth and debarred from heaven. Turned away from his own door in life, none of the rites which light his way through the darkness of death may be done for him.

The spread of education and the prevalence of foreign travel have modified caste rigidities. In the north they are less observed than in the south. The rules of exclusive eating are being widened, tea is not considered as meal, and in Madras I was once invited to partake of a real meal with a company of Brahmins who remained in caste. The ceremony of purification is not only being applied to circumstances in which but a few years ago it would hardly have been held applicable, but the ceremony itself is being neglected in cases where it strictly ought to be resorted to. In whole classes—and those of the higher castes—caste is becoming not much more than the social exclusiveness which is prevalent in our own society, and its evils are becoming, in numerous social

24. There is even a caste of train thieves.
25. Sharrock, *Hinduism—Ancient and Modern*, p, 177.

reform societies, the subject of condemnation.[26]

This division of Indian society has been a source of great trouble to Indian missions. Caste keeps the Brahmin a Hindu when he has ceased to believe in the doctrines of Hinduism, and for the people generally it means that Christianity loses its influence when it has destroyed the old faiths. It destroys but cannot replace. The new inspiration is parched out of existence by the social power of the organisation of the old faith.[27] At the same time, and for the same reason, Christian India, being outside the pale of Hindu India, finds its influence on the intimate life of the people very limited. The Christian is a foreigner to his own family, and that is true whether he has been a Brahmin or an outcaste. This is one of the explanations of mass conversion. It is much easier for a whole village than for an individual to be baptized, and whilst the religious value of the change may be doubtful (in accordance with the view one holds of what religious conversion really is) its political possibilities are very great.

This mass conversion is one of the most interesting movements in India from a political point of view, because it arises very largely from economic causes and from revolts against oppression which in time are bound to have political consequences of no mean importance.[28] Then the whole of a community goes over to Christianity, sometimes taking into Christianity its gods, its ceremonies, its superstitions, and its prejudices. The famine which lay upon the land from 1876 to 1879 brought thousands of outcastes to baptism. As a result of

26. It is interesting to note that the Lutheran and other German missionaries and the Roman Catholics coming from societies where social caste is strongly marked have accepted and explained caste in India as though it were practically the same social practice which they knew at home. The analogy is not complete. A more complete analogy is the refusal of white men to have social intercourse and sanction alliances with coloured people in communities like the American Southern States.

27. "The history of South Indian missions is very largely a history of caste troubles and caste relapses." Rev. J.A. Sharrock, *World Missionary Conference*, 1910, vol. ii. p. 370

28. Cf. *Census Report*, 1911, vol. i. part i, p. 137.

the secular work done by the missionaries, two Anglican Societies at Tinnevelly baptized, in 1880, 19,000 people. This began the great mass movement of pariahs in the south towards Christianity. The north followed later. Here the American Missions are powerful, and it is said they take less precautions than others as regards baptism ; but, be that as it may, Indian Christians have increased in the Punjab in ten years (1901—11) by 431.6 per cent, and the gains are shared by all the missionary societies at work in the district. The moving cause of this must be put down to the fact that the missionaries got the Government to allot large areas of newly irrigated land for Christian settlement. Thus the Chuhras, who have hitherto been agricultural labourers and skin dealers, if they became Christians could for the first time in their lives become land-holders.[29] Gross cases of systematic persecution of pariahs come under the notice of missionaries, and even if they are not remedied at once, the sympathetic advice given awakens corresponding sympathy in the mind of the little community. A new light begins to dawn upon it and a new interest to awaken in it. When this is amplified by the feeling that at last the pariah has protection within the law and in his possessions, he becomes a new man in a new world. His whole community changes its social allegiance by accepting baptism. But the change does not end there. The improvement in his social status lets light into his mind. He is taught self-respect ; he becomes more cleanly in his habits. He does give some proof of having been "born again." "It is just as true in the Punjab as in South India that, while the origin of the movement is mainly social, there is a strong spiritual force at work within it."[30] As was the case of the Shanars of Tinnevelly, whose oppression by Brahmin tyranny led to mass conversion, the revolt of dignity precedes the religious change and is the reason for it, and, the new allegiance having been made, it carries certain spiritual consequences with it.

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29. *International Review of Missions*, October 1914, p. 653.

30. Bishop of Madras, *International Review of Missions*, July 1913.

We must not assume, therefore, that mass conversion is something that is not conversion. The missionaries can defend it as missionaries and not merely as reformers. I deal with it here, however, mainly as one of the great movements in the emancipation of the Indian spirit. Men are influenced naturally in masses. Every evangelist campaign in Great Britain is an example of mass conversion and shows the characteristics of a mass psychology. It starts from personal influence. Schwarz acquired his hold over the Shanars of Tanjore because of his personality, and Ringeltaube laid the foundations of Christian missions in Travancore in the same way. The Christian movement amongst the Chuhras in the Punjab originated in the conversion of a hide-buyer of great propagandist zeal. But the personal influence is of an illuminating kind, and when it champions as well as persuades, and when it deals with people accustomed to common action in at community, a mass response is the result. Truly the method is like casting a net into the sea and hauling in every fish that gets entangled. This is good for the Church if the Church has the power and capacity to discipline the baptized ; in any event it is good for India because it has put men on their feet. Nor must the sneer that the motives are economic be taken at too high a valuation. It may be so, but economic desires are very often the vehicles by which mental awakenings show themselves and find a fuller expression. The spirit needs a body ; the free man needs possessions, and if these masses of outcastes are moved by a revolting spirit to seek justice and human right and testify to the change which has taken place within them is the only way open to them—a profession of what their champion considers to be all-important and an association with him in the worship of his God—who with any appreciation of the workings of the human mind will have the hardihood to say that what takes place can be described in terms of personal gain ? It has a significance far deeper than that.

The areas where these mass conversions are prevalent lie mainly in the extreme south of India, in Madras from the Mysore border to the middle of Hyderabad, amongst the

Santals in Bengal, and north-westwards through the United Provinces and the Punjab from Bareilly and Meerut, in the Khasi Hills in Assam, in the region of Jubbulpore in the Central Provinces.

In addition to the Christian missions, other agencies are at work in India for the reclamation of the outcaste. Within recent years Hindus themselves have been active, and chief amongst them have been the Arya Samoj and the Brahmo Samaj. For in the Arya Samaj in particular and amongst Hindus in general is a keen determination not to allow the untouchables to be considered as anything but Hindus. The Hindu requires these people to keep up the numbers upon which he bases his political claims. If they slip from his fold he is weakened. So from this point of view, missionary activity is a grand attack upon his power and he must sacrifice some tradition to enable him to meet it. When the Gait Circular threatened the Hindus that in the census of 1911 the outcastes might not be classified as Hindus, great was the consternation of Hindu society. "The Gait Circular had a quite unexpected effect and galvanised the dying body of orthodox Hinduism into sympathy with its untouchable population, because that was so necessary to avert its own downfall.[31]

True to its own tenets, the Arya admits outcastes to membership, allows them to perform rites like Homa, invests them with the sacred thread. These admissions sometimes are also of the nature of mass conversion when, as in the territories of the Maharajah of Jammu and in Kashmere, 10,000, and in the district of Sialkote 36,000, have been admitted *en bloc* into the Samaj. The Rajput Suddhi Sabha, formed by the Arya for the purpose of reconverting to Hinduism Mohammedan Rajputs, is said to have won for the Arya the conversion of as many as 370 in one day. Between 1907 and 1910 it reconverted 1,052. It is estimated that nearly two-thirds of the Arya members in the Punjab were of the depressed classes. There has been opposition from the orthodox,

31. Lajpat Rai, *The Arya Somaj*, pp. 227-8.

but the Arya Samaj is too strong to be cowed or to be turned from its deliberate purpose. It backs up its work by education and other kinds of reforming social effort. The Brahmo Samaj with less enthusiasm and on a smaller scale is doing similar work. It has, however, helped by both precept and example to interest orthodox Hindus in a Mission to the Depressed Classes. On such thorny questions as whether the converts of this Mission are to be absorbed into caste Hinduism or not—questions which the Arya Samaj has definitely answered in the affirmative—the Brahmo is divided. In this as in other things the Brahmo is well intentioned but feeble. The Servants of India and various other Social Reform Societies are working at the same problem, whilst no single leader of the Indian people has failed to acknowledge the responsibility of the higher castes to uplift the lower.

On the other hand, Mohammedan missionaries have met with some success particularly in the Punjab where they have made specially marked headway amongst the Chuhras who have yielded so many converts to Christianity. The outcaste turning Mohammedan becomes fully enfranchised at once in his new community—in some respects more than if he became a Christian. Thus, the long stagnant waters of Indian life are being stirred to the very bottom.

The view is very commonly held, both by Indians and English, that the Christian missions in India thwart the Nationalist movement not only by openly opposing it, as some missionaries do, but still more effectively by implanting in the minds of the people thoughts which lead them away from Indian leadership and ideas. The results of a propaganda, however, are not always what they are intended to be; the harvest to be reaped is not in the keeping of the sower of the seed. It is true that the older missionaries appear on the whole to have been anti-Nationalist and to have led their people on roads other than Indian, and that opposition to Nationalism has come from some of their converts. This, however, is changing. The younger school of missionaries

are not anti-Nationalist ;[32] Indian Christians have shown some degree of national independence in church government; the vitality of Indian life is bound to draw to itself the minds and movements awakened by missionary propaganda. The Christian mission may tend to bind the native Christian to the sovereignty of the conqueror by giving him the faith of the power in possession, but that is not antagonistic to Nationalism. "Jesus Christ," a leading Nationalist is reported, to have said, "was hopelessly handicapped by his connection with the West."[33] But Jesus Christ is universal and is not Himself Western, and a Christian Church in India will, as it grows in strength, become Indian in spirit. The essential point to keep in view is that the missions are educating the people. In India, the highest percentage of literate men is amongst the Christians with the exceptions of the Brahmins, and also of literate women with the exception of the Parsis. This is bound to break down the barriers which separated the outcaste from humanity. As a result of this education, the outcaste is thinking for himself and is acting for himself. He becomes a personage in his own eyes and not a servile encumbrance on the face of the earth. He is forming his own communities, his own co-operative societies, his own rudimentary forms of self-government, and, though it will take him as a class some time to rise out of the deep muddy ruts into which he has fallen, his past shows that he has genius and ability. The instinct for self-control which an educated people have is even shown in the community of Indian Christians by an opposition to missionary tutelage. Raja Sir Harman Singh complained in a Presidential address delivered to an Indian Christian Conference that missionaries showed too much racial prejudice and too great a desire "to keep all power and authority in the missionaries' own hands," and he claimed that Indian advice should be sought and taken in the management of the Church. He went on to say that "the Indian Christian community must ever keep before itself the national idea" and co-operate with non-Christian Hindus. So we

32. Andrews, *Renaissance in India*, pp. 164-8.
33. *World Missionary Conference Report*, 1910, ii, p. 346.

have the National Missionary Society started and a native Indian Church organising itself. For some years there was an agitation amongst Anglicans for an Indian Bishop, and this was successful when the Rev. V. S. Azarian—himself of outcaste origin—was consecrated for the diocese of Madras a few years ago. In other walks of life, the educated outcaste is taking a part in the Nationalist agitations appropriate to his interests and experiences, and as was the case with the Mohammedans so will it be with the Christians : sharing in the life of India, they will give back to it their energy, begotten of their ideals and their discontents, their claims and their resentments. It is a strange phenomenon, this struggle for the control of the minds and souls of the 50,000,000 outcastes. It means that Indian society at the very bottom as well as at the top is being educated and is being taught self-reliance, and that, both above and below, political self-government and personal ambition are fermenting. It may be long ere this ferment produces its inevitable changes, but that it will do so is not open to doubt. One thing will hasten matters. Representative government must sooner or later, and in some degree, be given to India, and the outcaste will not be left out. His recognition is necessary for the Hindus to enable them to keep up their proportion of the Indian population, and his missionary champions are not likely to let him be excluded in the cold. Moreover, a sufficient section of the community is now too wide awake to allow an Indian Government to be established in which they have no share or lot.

13

INDIA'S CLAIM FOR HOME RULE

I*

I now turn to the constitutional reforms. At the very first Executive Council which I held as Viceroy and Governor-General I propounded two questions to my Council : (1) What is the goal of British rule in India (2) what are the steps on the road to that goal. We came to the conclusion, which I trust most Hon. Members will agree was inevitable, that the endowment of British India as an integral part of the British Empire with Self-Government, was the goal of British rule, and his Majesty's Government have now put forward in precise terms their policy, which I may say that we as the Government of India regard in substance as practically undistinguishable from that which we put forward. With regard to the second question, after careful and detailed examination of the ground, was arrived at the decision that there were three roads along which an advance should be made towards the goal. The first road was the domain of Local Self-Government, the village, the rural board, and the towns or municipal council. The domain of urban and rural self-government, is the great training ground from which political progress and a sense of responsibility have taken their start, and we felt that the time had come to quicken the advance to accelerate the rate of progress, and thus to stimulate the sense of responsibility in the average citizen and to enlarge his experience. The second road, in our opinion, lay in the domain of the more responsible employment of Indians under Government. We felt that it was essential to the progress

*Viceroy Lord Chelmsford's speech in the Imperial Legislative Council on 5 September, 1917.

towards the goal, that Indians should be admitted in steadily increasing proportion to the higher grades of the various services and departments, and to more responsible posts in the administration generally. It is, I think obvious, that this is a most important line of advance. If we are to get real, progress it is vital that India should have an increasing number of men versed not only in the details of every day administration, but in the whole art of Government. I doubt whether there is likely to be any one who will cavil at the general conclusions at which we arrived as to these two roads of advance, but agreement must not blind us to their instruction than the liberty to make mistakes. The first and foremost principle which was enunciated in Lord Ripon's Self-Government resolution of May 1882, and was subsequently emphasised by Lord Morley and Lord Crewe in their despatches of 27th November, 1908, and 11th July, 1913, respectively, was that the object of Local Self-Government is to train the people in the management of their own local affairs and that political education of this sort must take precedence of mere considerations of departmental efficiency. We are in complete accord with that principle hence our advocacy of an advance along the first road. Equally we realise the paramount importance of training in administration which would be derived from an advance along the second road. There is nothing like administrative experience to sober the judgment and bring about an appreciation of the practical difficulties which exist in the realm of administration and it is from this source that we may look forward in the future to an element of experienced and tried material for the Legislative Assemblies.

We came now to our third road, which lay in the domain of the Legislative Councils. As Hon. Members will readily appreciate, there is no subject on which much difference of opinion exists and with regard to which greater need is required for careful investigation and sober decision. I may say frankly that we, as the Government of India, recognise fully that advance must be made on this road simultaneously with the advance on the other two and His Majesty's Government in connection with the goal which they have outlined in their

ing to the permanent Civil Service; and the Morley-Minto reforms promoted Imperial solidarity in no small degree, when they mitigated this racial monopoly, and admitted into "the inner counsels of the Indian Empire." Indians of such character and attainments as Sir S.P. Sinha, Sir Ali Imam, and Sir Sankaran Nair. As regards the Legislative Councils, the object of the reforms was to extend the elective system, and obtain for the administration the benefit of independent Indian opinion, allowing to the wearer an opportunity of saying where the shoe pinches him.

What is now the position? India has borne her part in the great world-struggle, and now looks forward to a happier future : "Expectations have been raised and hopes held out that, after the war, the problems of Indian administration will be looked at from a new angle of vision." We hope and believe that these expectations will not be disappointed. Leading British statesmen have declared their desire to satisfy reasonable Indian aspirations; and it is most opportune that a body of trusted leaders representing united India (three of the signatories are ex-Presidents of the Indian National Congress, and three are ex-Presidents of the Moslem League) should have placed before the Viceroy a statement showing in clear terms the reforms which in their judgment are essential for the welfare of India and of the Empire : "We feel," they say, "that we should avail ourselves of this opportunity to respectfully offer to Government our humble suggestions as to the lines on which these reforms should proceed."

Accordingly, as regards the Executive Councils Imperial and Provincial, they recommend that half the members should be Indians; and that the European members should be men trained and educated in the public life of England. As regards the Legislative Councils, they propose that in all cases there should be a majority of elected members, the Viceroy and Governors retaining their power of veto. Further, it is suggested that the elected representatives of the people should have a voice in the selection of the Indian members of the Executive Councils.

These are some of the leading proposals tending to produce that atmosphere of sympathy desired by the King-Emperor. But, apart from constitutional reforms, there exists at the present moment a crucial matter, connected with the military situation, which demands special attention from well-wishers of the British Empire, because it intimately affects the sentiments of the Indian people, and is derogatory to their sense of national self-respect. A humiliating sense of racial differentiation is produced by the Arms Act, applied to Indians, but not to Europeans and Anglo-Indians, by the disqualification of Indians as volunteers, and by their exclusion from the commissioned ranks of the Army. With pathos these representative members of the Viceroy's Council set forth the demoralising effect of such restrictions on the civil population of India, and especially on the younger generation; and they urge that the Government should remove these "irritating disabilities as regards the possession of arms and a military career, which indicate want of confidence in the people, and place them in a position of inferiority and helplessness."

India is a lover of peace, but she possesses almost unlimited man-power, and her desire is to have her hands unbound, and, as a good comrade, to stand by England in securing victory for "the cause of justice and humanity in the international relations of the world."

In this connection the following extracts from the Report of the British Congress Committee for the year 1915-1916 may be read with interest :

The essential principle of self-government was declared by Lord Hardinge, when he indicated the safe path of Indian reforms, founded on provincial autonomy, with a persistent, if gradual, transfer of authority from the official body to the representatives of the people. This, we trust, will be the direction in which Parliament will proceed. But in order that the Viceroy may be in a position to carry out the orders of the Home Government, it is absolutely necessary that his hands should be strengthened. At present the Viceroy is not master in his own household, the existing practice giving to the per-

manent officials an exceptional position of authority in his Executive Council. The constitution of that Council is determined by the India Act of 1861 (24 and 25 Victoria, c. 67,) clause 3, providing that three out of five ordinary members of that Council are to be persons who have been at least ten years in the service of the Crown in India; and this provision has been interpreted for the sole benefit of the Covenanted Civil Service; so that the Viceroy's 'Cabinet' is unduly dominated by a group of permanent officials, who enter the Executive Council automatically, imbued with the spirit of the great centralised departments, over which they have been accustomed to preside. Under this system a Viceroy, fresh from England and unfamiliar with the routine of Indian administration, is not in a position to give effect to the policy prescribed for him by Parliament and the Crown.

The remedy is a simple one; for the time has come to amend clause 3 of the India Act of 1861, by providing that the Viceroy, with the approval of the Secretary of State, shall have power to nominate the members of his own Executive Council from among men, British and Indian, of ripe experience in public affairs, their term of office ending with that of the Viceroy. Such amendment will only be an extension of the beneficial practice which, for the last eighty years, have given to India the services of such men of mark as Lord Macaulay, Mr. James Wilson, Sir Charles Trevelyan, Sir Sumner Maine, Lord Hobhouse, Sir Courtenay Ilbert, and Sir Guy Wilson. In more recent times the solidarity of the Empire has been strengthened by the addition of distinguished Indians: Sir S.P. Sinha, Sir Ali Imam, and Sir Sankaran Nair. It appears that this reform is a condition-precedent to all other reforms. The principle involved is one that has been accepted by all civilised Governments. In England, especially, it has been the settled rule that a member of the permanent Civil Service must be content to close his official career as the trusted and authoritative head of his department without aspiring to political governance. The task of a British Premier would be an impossible one if he was not free to choose the members of his Cabinet from among his political supporters, and was

compelled to accept as his colleagues the permanent chiefs of the administrative departments.

III*

When the war broke upon Europe, India was in a state of considerable political unsettlement. Anarchism was troublesome, and was aggravated by the way in which the authorities were handling it. Centres of disaffection and revolutionary propaganda had been established in Europe and America, and without doubt large numbers of romantic, educated young men were being allured by the fire, and were beginning to play with it. Political dacoities were prevalent in some districts, especially in Bengal; students were showing by college strikes and disturbances, not only how serious was the antagonism between them and authority, but how unsettled the mind of young India was becoming and what emotions were possessing it.

This propaganda was confined to a few, and its chief significance was the trouble it gave, and the bad influence it had on the minds of the authorities. It was, however, an indication that something was going wrong. An antagonism was being engendered which was manifesting itself in sporadic flashes of lightning, and an uncomfortable feeling that a storm might be coming began to be prevalent.

In the field of legitimate politics great changes were also evident, and a new constitutional movement far more insistent and definite than that which had hitherto existed, and also far more powerfully supported, was showing itself. The first generation of Congress champions were dead or were old, and a new body of men were taking their place. At first there was antagonism between the two, and the Congress was split and enfeebled. But the looms of Time weave incessantly, and the old generation had to accept the new propaganda. The Surat split was healed; the Mahomedan and Hindu nationalist found a common political language and a common political platform; the demand for Home Rule was taken up; the old Congress

*J. Ramsay MacDonald in *Contemporary Review*, September, 1917.

programme asking for this change and that, was merged in a general claim for self-government. A new spirit had entered the nationalist movement, and Indian politics were undergoing a transformation similar to that which came over Irish politics when Mr. Parnell first took the helm. Hithertô, Indian pride was concerned with India's treatment in her own household; now, India was beginning to claim a treatment which would give her a worthy status in the world.

Then the war came, and the interests it created swept every other to one side for the time being. No one who had the least accurate knowledge of India doubted what it would do. It would be proud to fight in a European war side by side with European troops; to take a share in Imperial defence was an honour which appealed not only to warriors but to nationalists; it was the great opportunity which India wanted. So India went to war with pride and enthusiasm. There was general satisfaction. At home we talked of turning over a new leaf. India had revealed herself to us. But by and by came a change. India's enthusiasm was not encouraged; her recruits were not accepted; her ambulance corps was disbanded; the administration became timorous. Then ensued an awkward time of suspicion and uncertainty. The Indian Press had broken out into raptures about what India was doing for the Empire, and had already begun to count upon reward in the form of greater political liberty; presently it began to doubt whether it was to get its reward, and blamed the Government for fainting in its good intentions. India felt a tremor of hesitation in the British hand she was grasping.

Into the midst of this suspicion and uncertainty the Mesopotamia Report fell, and instantly the system of Indian Government was struck as by a bomb. Whatever else this Report may done, it has killed the Indian bureaucracy. It did to the prestige of the Government what the anarchists with their picric acid tried to do to the bodies of the governors. For it must be remembered that the failures revealed were far less those of individuals than those of a method of Government. There were individual failures undoubtedly, and there was bad administration. But

the evil action of the individual was a dramatic illustration of the bad system itself. The circumstance and the individual were one and the same as in a Greek tragedy.

The relations between the India Office and Delhi, and between the Viceroy and his Council, the system of Indian military finance, the position of the Finance Member in the Indian mechanism of administration, above all, the rigid mentality of a Government controlled by a Civil Service, and not responsible to public opinion either in this country or in India, came toppling down when that horrible tale of inefficiency, of delay, of lack of foresight, of feebleness, and of suffering was told to the world.

The question now is, how are we to repair the ruin? What are we to put in its place? If we have any concern for the peace and prosperity of India and for the reputation of the Empire, we shall approach the problem with courage, seeking not to patch up and restore, but to build a new from the foundations in accordance with modern requirements.

A phase of Indian administration has come to an end. We have governed and we have educated. We have opened doors cautiously and allowed the Indian to enter the inner shrines of our administration; we have given him a measure of self-government and some representative authority; we have taught him the philosophy of Western liberty. But we have never loosened our grip upon him; we have never trusted him fully; we have imposed galling conditions upon his liberties; we have not succeeded in making him feel that we believed in him. Hitherto, the liberties we have granted to him have been those given to a subject people, and he has known it. We have not given him power. The Morley reforms were less the beginning of a new epoch than the ending of an old one—the last concession of an old order still in authority, to a new order, growing up in the bomb of a nation and which had inevitably to be brought to birth.

It is a long time ago since the Directors of the East India

Company devised a system of administration which put India under the control of their clerks and which made India an asset of a trading corporation; it is a long time ago since the Government at home saw that it had to impose responsible political obligations upon such a trading concern by subjecting it to Whitehall control. But that *regime* has never passed away. To this day it survives modified in its features, but characterised by its essential distribution of authority and its peculiar mechanism of government.

The Viceroy with his Council of Civil Servants (in the main) is the heir to the Company's Presidents, acting with a Council of the senior merchants. In the evolution of the office, it has never departed from its original type. The Secretary of State is still the President of the Board of Control advised by experts, but not subject to Parliament as other Secretaries of State are. The expenses of the India Office in London are still borne by Indian revenues as though it was an adjunct to a business which was being made to bear the cost of its management. Indian military finance, in spite of the grant from the Imperial Exchequer, is the finance of a military service which belongs not to an Empire but to a company which has to meet shareholders, and which engages in wars to defend and extend its factories and its revenues. No one who has studied the features of Indian administration with close care, can fail to see how those of government by a Chartered Trading Company survive in them as those of an ancestor are found in a living generation. Scratch the Indian bureaucracy and you find the John Company.

But the declared intention of the Government has always been clear. We have been governing and educating India in order to free India. We have withheld from her none of that knowledge or thought, the fruit of which is a demand for self-government. We have been pursuing a policy which inevitably leads to a movement for Home Rule of some kind, and sooner or later the result of our policy has to be accepted by us, or met with hostility involving repression. So soon as the war is over, India will ask us, in the plainest possible language, what

our intentions are, and will expect an answer also in the plainest possible language; and we ought now to be considering what our reply is to be.

There will be the old conservative councilors raising the old timorous difficulties. They will remind us that "India" means a few educated professional people whose interests are not that of the masses; that the masses are content to remain as they are; that self-government is a practical impossibility because India is too big, too diverse in population, too ignorant for a democratic experiment in Home Rule; that, in spite of the Mesopotamia Report, any diminution of British authority or weakening of the Civil Service will mean inefficiency, and mayhap corruption; that British commercial interests will not tolerate Indian political ascendancy, and so on. There may be some substance in each and all of these objections, but they still leave us faced with the difficulty that our democratic reputation is at stake, that the spread of education in India is creating a new political problem in self-government, that the war weakened and the Mesopotamia blunders destroyed the old *regime*. The conservative objectors must face the facts and must recognise that the problem has grown so big within the last three years that their doubts and warnings have been dwarfed into minor importance. They were obstacles for the removal of which prudence waited; they have now become risks which prudence must accept.

We can best begin by clearing our minds of the inheritance of the Company. India should no longer be regarded as a State to be governed as we govern a Crown Colony. Our fundamental axiom has been that the Indian cannot govern himself, and that has remained patent whether we put him on Legislative Councils or into a district as Collector. It is here that the great break with the past must be made. That does not mean evacuation, the disappearance of the British Army and the British official, the proclamation of Indian independence. But it means that whereas hitherto we have regarded India and Indians as subordinate not merely to our flag but our authority, henceforth we are to regard them as partners in

the Empire governing themselves more and more with what assistance from us is necessary, and becoming more and more responsible for working out their own destiny. This change cannot be made in its fulness in a day or a year. The men fit to make it must be trained, the old machinery must work itself out, but beginnings should be made at once which will prove our sincerity to India and the world, and which will make further changes inevitable. A rule which John Stuart Mill laid down for compromise legislation should guide us in answering India's enquiry. "A legislator," he wrote, "is bound not to think solely of the present effects of his measures; he must consider what influence the acts he does now may have over those of his successors. Whatever changes he introduces should be a step in the direction in which a further advance is, or will hereafter be, desirable. His half measures should be so constructed as to recognise and embody the principles which, if no hindrance existed, would form the foundation of a complete measure." Whatever changes may be made in India must not consist of patches and darns, but must be the beginning of a new garment.

If that is to be our intention, we ought to begin with a complete reform of the India Office. This department should at once be made a charge, like the Colonial Office, on Imperial funds, the Secretary's Council should be abolished, and the Secretary made directly responsible to Parliament. For, so long as the Secretary's Council—composed mainly of retired Indian officials and of Indians out off from the life of their country—exists, the Government of India will remain a bureaucracy, and the invigorating influence of Parliament and Indian opinion will have no effect upon it.

In India itself, the Viceroy's Council should cease to be a branch of the Civil Service, and should be more largely representative of the Legislative Council, whilst the Councils, both Imperial and Provincial, should have more power, but especially regarding finance. Power, however, cannot be given without responsibility. I can conceive no worse form of government for India than that which enables Councils to exercise

authority, which enables them to say "No!" effectively, whilst executive offices are held by the nominees of the bureaucracy. The practice at present is that the heads of departments are chosen by the Executive and are responsible to the Executive. But Legislative Councils exist which, within limits, can question them and express views upon their actions and proposals. Thus we have two rival authorities, and if, whilst retaining the Executive in its present position we add to the power of its critics, we invite the latter to act recklessly and factiously and to aim at producing deadlocks to discredit their rivals. Such a system is impossible. We shall be compelled to give the Councils more power and to increase the proportion of elected representatives upon them; we shall be compelled to allow them more influence on budgets than the mere passing of pious resolutions which the Executive may or may not take into account. But the instant we do that we have made the present position of the independent Executive absolutely untenable. We must therefore accept the fact that it we extend the authority of the Councils we must give them responsibility for their acts, which means that in some real and substantial way we must associate them with the Executive as our own House of Commons is associated with the Cabinet. In fact, in India we have to deal with a question of the same nature as that which Germany has now to face as regards her Reichstag. But there is the great difference that whereas in Germany there is the foundation of democratic election and representation, that is not available in India. How are we to get over that? The dilemma is a serious one. We have created in India the demand for self-government; that demand has now acquired a power and a reasonableness which compels us to meet it in some way or other, and we are unable to base it upon any of the electoral foundations upon which alone it rests in western countries.

To build up any system of representative government in India is to be a slow and a difficult process. But in thinking of it we should remember two important things. The first is that India ought not to be governed from a centre, but should be a federation of provinces, and the second that our concep-

tions of representative government are not necessarily the only ones possible.

Whatever reforms in the Council are begun, decentralisation should be kept in view. Delhi and Simla are now far too powerful. Areas like the United Provinces and the Central Provinces should be raised to the political status of Madras, Bengal and Bombay, and considerable autonomy granted to them, especially in finance, in the administration of justice, in educational work, and so on, and the central Government should concern itself with the powers which it reserves to itself and with co-ordinating, and levelling up provincial legislation and administration.

Then when we turn to the question of what is to be represented, we only engage in a fruitless exploration if we try to discover a citizen whom we are to enfranchise, and a geographical constituency for which we are to compile a register of electors. It will be generations before such a thing can be thought of, and, meantime, India cannot be asked to wait. When we ask ourselves freed from our western prepossessions, what representation means in India, we discover, first of all, that India is not so much a nation of citizens as an organisation of co-operating social functions with certain institutions like colleges, professional schools, and universities which are centres of civil and political opinion, and which approach to the character of western constitutencies and afford opportunities for the ordinary western election. Opinion and interests are organised, beginning with rudimentary simplicity in the village, and becoming more complex in districts, provinces, and the whole State. As a matter of fact, we find in India already a complete system of government ranging from the village panchayats to the Viceroy's Council, and it is this which we must strengthen and develop by an infusion or representative authority. Politics in India are not so differentiated from social organisation as they are here. Along this line, and with this difference in view, we should plan our system of self-government. The village, the District Board, the Co operative Society, and such organisation, should be built into the fabric

of Indian representation. The lower and more subordinate bodies should be represented on those above them with wider and more complex powers. When complete, this fabric will not be uniform as it is here; but its complexity will conform to Indian vastness and Indian social structure, and it will be representative.

As to the representatives themselves, many are already available. India has her men of political experience and ability enjoying the confidence of large groups and communities, and though they may as yet be confined rather much to the classes of landowners and lawyers, everyone who knows them must admit that their outlook is, on the whole, a civic one, and that their political aims and ambitions are based upon thoughts of their municipality, their province, and their country, growing up around them is a class of manufacturers and men engaged in commerce and industry, and these, when the interests and honours of public life are persented to them, will appear on public bodies. But the field from which to draw public men is even richer than that, for societies like the Servants of India and the various Social Reform groups are training men of public devotion second to none of those who in this country serve their nation in singleness of heart. Every year innumerable conferences on education, the outcaste, technology and commerce, agriculture, and social work, meet, and each represents some living organisation inspired by some active men. From these men the native states are drawing, more and more liberally, Diwans and other officers and councillors, and British India should do the same.

The real impediment in the way of generous change is the deep seated and almost irremovable conviction held by the ruling classes that we, and we alone, can rule India. We alone have the necessary force; we alone have the necessary efficiency. So completely has this sense of superiority of the governing people taken possession of Anglo-Indian minds that it has come to be regarded as an expression of racial differences. It is really nothing of the kind. Racialism is a cloak used

to cover a multitude of prejudices. But when the two races meet on terms of political equality, as they do here at home and in Indian native states, this prejudice is not so apparent. Moreover, it is observed in every community in the world that when section is differentiated off to govern, the rest, it develops precisely the prejudices, the aloofness, and the claims which in India are attibuted to racial distinctions. So, we had better admit that the gulf which separates Indians from the British in India is not a difference of race, but that of governed and governors. And we justify ourselves by our efficiency But, admitting the claim in order that we may go to the heart of the argument, efficiency is not the end of government. Efficiency belongs to the mechanical and material aspects of a state, and if into the ends of government enter any consideration of liberty and self-expression, a high efficiency may have to be sacrificed and a lower one substituted in order to reach the further goal. I know that in numerous secret documents there are records of how unsatisfactory Indian officials have been; I know that in the privacy of secretariats tales are told of Indian failures in many departments and responsibilities. I have never been very much impressed by these. You cannot proclaim by every attitude, and during every hour of the day, that a man is inferior, and find in the end that you are wrong. Your proclamations secure their own truth. Whatever we have taught the Indian it has not been self-reliance, courage, force of character. So I am willing to believe these reports if I am compelled to do so, but I reject emphatically the conclusion drawn from them. If we were to continue to rule India as we are now doing for a hundred decades, these tales would not diminish but increase with time. Moreover, when we go into details, we find that only at a few points—important may be, but yet few—is there any risk. The judiciary will not suffer, as from top to bottom it is already predominatingly Indian. All the subordinate services are now Indian. The local administrative bodies are Indian, though most of them are under the tutelage of a District officer. Indians occupy positions of great responsibility in the Imperial Civil Service, and everyone admits that more openings must be made for them there, and more

departments handed over to their control. The Indians on the Legislative Councils are men of influence and ability, and their speeches show no mean grasp of affairs. They vary, as legislators in every country vary. Upon both the Secretary of State's and the Viceroy's Councils the Indian members are quite as good as the average British members. The political sagacity and backbone shown by the Indian leaders during the South African trouble left nothing to be desired. Indeed, when the whole facts and experiences are marshalled and examined, the case for the doleful prophecies of failure in India were started on the road to self-government and to full partnership in the Empire is found to rest on very slender evidence, whereas the grounds for confidence are firm and wide. A great part of the fears that are valid arise from the existing method and spirit of government.

We shall be wise if we honestly recognise the facts and admit that a break with the past has become inevitable; that we have done all we can *for* India, and that the further help we can give to her and her people must be rendered in co-operation *with* them.

14

MONT-FORD REPORT ON MORLEY-MINTO REFORMS (EXTRACTS)

8. . . . .The underlying idea of the Morley-Minto changes, which were introduced in 1909, was to associate the people to a greater extent with Government in the decision of public questions. With this end in view one seat on the Governor-General's and one on each of the Provincial Executive Councils were in practice reserved for Indian members. All the Legislative Councils were enlarged, and all were given a real and substantial elected element, while the Provincial Legislative Councils were also given a non-official majority. The right of discussing questions of public interest was also conceded to the Councils. This gave members a real opportunity of exercising some influence on questions of administration and finance, and though the Executive Government was left free to act upon such recommendations as it thought fit, the concession was regarded by persons of insight as perhaps the most important part of the changes. The institution of finance committees of the Councils also gave the elected members a direct share in framing limited portions of the budget. Their scope in this direction, however, was extremely restricted, being confined to the small margin of expenditure available for optional schemes, that is, such as had not already been definitely selected by the Government for execution. Not only was the amount available small, but in the nature of the case schemes under consideration were generally of secondary importance. It was thought impossible to introduce a general system of direct election with territorial constituencies; and indirect election was accordingly retained, except in the case of Muhammadans and certain other special electorates.

9 The Morley-Minto reforms were essentially of an evolutionary character : they were a natural extension of the previously existing system. Excessive claims were made for them in the enthusiasm of the moment, but in any case they cannot justly be described as embodying any new policy. The change was one of degree and not of kind. Lord Morley himself emphatically repudiated the idea that the measures were in any sense a step towards Parliamentary Government. They were based on the fundamental principle that the Executive Government should retain the final decision of all questions, although some degree of popular control over legislation was established in the Provinces by providing small non-official majorities . . . .

79. . . . . They (*i.e.*, 'the Morley-Minto changes') admitted the need for increased representation, while reiterating the impossibility of basing it generally on a direct or general franchise. They admitted the desirability of generally securing non-official approval to the Government legislation, though they trusted in an emergency to the support of nominated members, to the division of interests between different classes of elected members, and, in the last resort to overriding legislation in the Indian Legislative Council where an official majority was retained. Frankly abandoning the old conception of the Councils as a mere legislative committee of the Government, they did much to make them serve the purpose of an inquest into the doings of Government, by conceding the very important rights of discussing administrative matters and of cross-examining Government on its replies to questions. Lord Morley's disclaimer—"If it could be said that this chapter of reforms led directly or indirectly to the establishment of a Parliamentary system in India, I, for one, would have nothing at all to do with it"—is no doubte explicable when we remember his stout insistence on the sovereignty of the British Parliament, and his acceptance of the decided advice of Lord Minto's Government, backed by the experience of every Indian administrator of eminence, that anything beyond very limited constituencies and indirect franchises was unthinkable in India. He took the constitutional view that

no relaxation of the control exercised by the British electorate was possible until an Indian electorate, which was not then in sight, had arisen to take the burden from its shoulders. Nonetheless we are constrained to say that the features of his reforms which we have described do constitute a decided step forward on a road leading at no distant period to a stage at which the question of responsible government was bound to present itself.

83. No one can deny that as an embodiment of the representative principle the present electoral system has great defects. The chief of these are the very restricted nature of the present franchise, and, except in the constituencies composed of the members of some special class or community, the lack of any real connexion between the primary voter and the member who sits in the Councils . . . . In such circumstances there can be no responsibility upon, and no political education for, the people who nominally exercise a vote. The work of calling into existence an electorate capable of bearing the weight of responsible government is still to be done . . . .

84. A minor but still noteworthy result of the present electoral system is the large percentage of members of the legal profession who succeed at elections . . . . in the only constituencies in which members of the general population are represented the chances are at least two to one that a lawyer will be returned. Now the predominance of the lawyer in politics is a feature of parliamentary institutions elsewhere : and it is obvious that the art of Parliamentary Government which is so largely concerned with the making of laws and so largely conducted through the medium of persuasive speech must in any case offer the lawyer a definite advantage. In India these conditions may be accentuated by the fact that the choice of occupations open to the educated classes has hitherto been narrowly limited. The class that is both leisured and educated is a small one. At the same time so great a political predominance of men of one calling is clearly not in the interests of the general community . . . . in framing our new constituencies an important object to be borne in mind is to

ensure that men of other classes and occupations find a sufficient number of seats in Council. . . .

85. On the other hand, the arrangements for presenting and enforcing the Government's view are no less open to criticism. The old idea that the Legislative Councils are only the Governments in their legislative aspect still appears in the language of sections 63 and 73 of the Government of India Act, and . . . . has quite recently been enforced by Secretaries of State. This is no doubt a main reason why the official *bloc* has been maintained with peculiar rigidity in the Councils. Non-official members have long since enjoyed the right of introducing legislation; but the view that law-making was still primarily the prerogative of the executive Government which is amenable to Parliament has so far endured that it has been the exception, and not the rule, for Government to leave its official members free to speak and vote as they choose even on private members' business. The proceedings in Council have been controlled by Government; generally speaking, Government officials are not expected to ask questions or move resolutions, or (in some Councils) to intervene in debate or even to rise to points of order without Government's approval, and, though there is of late a tendency to treat more matters as open questions, when a division is taken the official members nearly always vote by order in support of Government.

86. The effect upon the proceedings in Council can be readily imagined. The Government mandate has been compared to the rigidity of party discipline in the House of Commons, but, as we think, to little purpose. The reason which induces a member to acquiesce in the whip's bidding is the perception that, as the defeat of the Government ordinarily means a change of Ministry, it is his duty to sacrifice his personal opinions on a particular point for the greater principles for which his party stands. Moreover, there comes a time when individual judgment asserts itself and Governments fall, because some of their supporters vote against them. The essence of the system is political responsibility. But the official

obligation to vote with Government in an Indian Legislative Council is continuing, and is not made palatable by any necessity of securing an irremovable Government from demise; and as Mr. Gladstone saw many years ago the conflict between conscience and discipline may become acute.

87. Upon the Indian members of the Legislative Councils the effect is frankly irritating. It prejudices in their view the position of the official members who form the *bloc*. Indian members may share in a debate in which the majority of speakers, and in their eyes the weight of argument, are arrayed against the Government . . . . But when a decision is taken the silent official phalanx effectively carries the Government measure or votes down the private member's resolution . . . . the official solidarity naturally stifles any differences that exist between Indian elected members and drives them to a League against Government, into which the nominated Indian members also tend to enter.

88. These factors contribute to the unreality of the proceedings. Because the number of elected members is small, and the issue is often known beforehand, the debates lack life unless feelings are aroused of interests are directly affected; and because the Government has to a great extent controlled the proceedings the Council have not felt the need of developing any corporate opinion which would have the effect of raising the standard of individual performance . . . .

92. . . . . In the eight years 1910-17 the (Indian Legislative) Council passed 131 laws, of which no fewer than 77, or 59 per cent, were passed without any discussion whatsoever . . . . perhaps the most important reason why so many Bills have met with small opposition lies in the Government's policy of avoiding opposition as far as possible. With this end in view every effort is made before a Bill is introduced to ascertain as far as possible non-official opinion. It is probably true that the Council exercises a greater influence on the shape of Bills before they are introduced than when they are actually under discussion. The tendency is for the departments to prune a Bill beforehand of all features expected to

arouse controversy, and thereafter to oppose all material amendments proposed in Council are less frequently adopted than suggestions submitted before the introduction of Bills. The constructive work of legislation is in fact still largely done by correspondence; and this can hardly be otherwise so long as the official majority is maintained. At the same time, there is no reason for supposing that the non-official members are unable to influence the shape of Bills after introduction. On the contrary, we find that in spite of the official majority they have in many cases been able to make their weight felt. Much of the most solid and useful work in the sphere of legislation is done in the seclusion of the committee room and not in the publicity of the Council chamber. The presence of the official *bloc* may to some extent give an air of unreality to criticism in the Council hall, but to the committee rooms its influence does not extend. The non-official member who is really interested in a particular measure, or is anxious to have a Bill altered, generally arranges to be put on the Select Committee on the Bill, or to approach the official member in charge and to discuss the question with him in private. The reported debates thus afford no measure of the real influence of non-official members. Since 1909 only eight Bills can be said to have encountered really serious opposition . . . . It appears that whenever the Government has met with anything approaching solid opposition on the part of the Indian members it has, except on matters touching the peace and security of the country, generally preferred to give way.

93. Only five private Bills have been passed by the Imperial Legislative Council since 1910 . . . .

94. We pass to another aspect of the Council's work, namely, the influence which it exercises on the work of administration by means of questions and resolutions. The fact that nearly twice as many questions were asked in 1917 as in 1911 shows that serious value is attached to the right of interrogation . . . . it cannot be said that the right of interrogation has been abused. . . . In all 168 resolutions were moved in the Council uptill the end of the year 1917; of these 24

were accepted by Government, 68 were withdrawn, and 76 were rejected either with or without a division .... A rough classification of the resolutions shows that some 73 can be described as fructuous. In not a few instances substantial results were obtained ....

100. In the light of these anticipations it is not hard to understand how the Morley-Minto constitution ceased in the brief space of ten years' time to satisfy the political hunger of India. The new institutions began with good auspices and on both sides there was a desire to work them in a conciliatory fashion. But some of the antecedent conditions of success were lacking. There was no general advance in local bodies; no real setting free of provincial finance; and in spite of some progress no widespread admission of Indians in greater numbers into the public service. Because the relaxation of Parliamentary control had not been contemplated the Government of India could not relax their control over Local Government. The sphere in which the Councils could affect the Government's action, both in respect of finance and administration, was therefore closely circumscribed. Again and again a Local Government could only meet a resolution by saying that the matter was really out of its hands. It could not find the money because of the Provincial settlements; it was not administratively free to act because the Government of India were seized of the question; it could therefore only lay the views of the Council before the Government of India. As regards legislation also the continuance of the idea of official subordination led to much of the real work being done behind the scenes. The Councils were really more effective than they knew; but their triumphs were not won in broad daylight in the dramatic manner which political ardour desired. This was one reason why more interest was often shown in resolutions than in legislation. The carrying of a resolution against Government, apart from the opportunity of recording an opinion which might some day bear fruit, came to be regarded as a great moral victory; and it is evident that topics that are likely to combine all the Indian elements in the Council offered the best opportunity. Because the centraliza-

tion of control limited the effectiveness of the Councils the non-official members were driven to think more of display than they might have otherwise done; and the sense of unreality on both sides deepened. All this time the national consciousness, and the desire for political power, were growing rapidly in the minds of educated Indians; and the Councils with their limited opportunities proved to be an insufficient safety-valve. While therefore inside the Councils there are signs of hardening opposition and the wearinees which comes of sterile efforts, outside the Councils the tide of feeling was rising more quickly. For a short time after their inception the Morley-Minto reforms threatened to diminish the importance of the Indian National Congress and the Muslim League. It seemed as if the Councils where elected members took a share in the business of government must be a more effective instrument for political purposes than mere self-constituted gatherings. But with the disillusionment about the reformed Councils, the popular conventions, where speakers were free to attack the Government and give vent to their own aspirations untrammelled by rules of business or the prospect of a reply, naturally regained their ascendancy; and the line taken by prominent speakers in them has been to belittle the utility of the Councils, if not to denounce them as a cynical and calculated sham. We cannot now say to what extent improvement might have been effected by gradual changes in the rules of business by relaxing official discipline, by permitting freer discussion, and by a greater readiness to meet the non-official point of view. However this may be, events have proved too strong. The Councils have done much better work than might appear to some of their critics. But they have ceased to satisfy Indian opinion, and their continuance can only lead to a further cleavage between the Indian members and the Government and a further cultivation of criticism unchecked by responsibility.

101. It seems to us that the inherent weakness of the position created by the Morley-Minto changes is excellently brought out in the following comment:

"We must make up our minds either to rule ourselves or to let the people rule : there is no half-way house, except of course on the highway of deliberate transition. At present we are doing neither. We are trying to govern by concession and each successive concession has the air of being wrung from us. We keep public business going by bargaining of the market place, by a steady yielding to assaults which always leave some bitterness behind on both sides. This is in no sense the fault of individuals; it follows inevitably from the influences at work. Upto Lord Curzon's Viceroyalty, there was a sturdy determination to do what was right for India, whether India altogether liked it or not. The reforms which followed his regime brought in a power of challenge and obstruction—influence without responsibility; and rather than fight we have often to give way. We are shedding the role of benevolent despotism, and the people—especially those who are most friendly to us—cannot understand what role we mean to assume in its place. We are accordingly losing their confidence and with it some of our power for good. If we returned to sheer despotism, we should carry many of the people with us, and should secure an ordered calm. But that being impossible, we must definitely show that we are moving from the Eastern to the Western ideal of rule. And, secondly, we must maintain the full weight and order of government while the move is going on. Otherwise we cannot look for either internal peace or the co-operation of the people, or indeed for anything else except growing weakness with the fatal consequences that weakness involves in an Eastern country."

15

MONT-FORD PROPOSALS

SECRETARY OF STATE MONTAGU'S DECLARATION
(20 August, 1917)

The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to progressive realisation of responsible government in India as an integral part of the British Empire. They have decided that substantial steps should be taken as far as possible, and that it is of the highest importance as a preliminary to considering what these steps should be, that there should be a free and informal exchange of opinion between those in authority at Home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Government of India to consider with the Viceroy the views of Local Governments, and to receive with him the suggestions of representative bodies and others.

I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility.

Ample opportunity will be afforded for public discussion of the proposals which will be submitted in due course to Parliament.

MONT-FORD REPORT (EXTRACTS)*

Devolution to Provincial Governments

220. We saw that the existing financial relations between the Central and Provincial Governments must be changed if the popular principle in government is to have fair play in the provinces. The settlements by which the Indian and Provincial Governments share the proceeds of certain heads of revenues are based primarily on the estimated needs of the provinces and the Government of India disposes of the surplus. This system necessarily involves control and interference by the Indian Government in provincial matters. An arrangement which has on the whole worked successfully between two official Governments would be quite impossible between a popular and an official Government. Our first aim has therefore been to find some means of entirely separating the resources of the Central and Provincial Governments.

201. We start with as change of standpoint. If provincial autonomy is to mean anything real, clearly the provinces must not be dependent on the Indian Government for the means of provincial developments. Existing settlements do indeed provide for ordinary growth of expenditure, but for any large and costly innovations Provincial Governments depend on doles out of the Indian surplus. Our idea is that an estimate should first be made of the scale of expenditure required for the upkeep and development of the services which clearly appertain to the Indian sphere; that resources with which to meet this expenditure should be secured to the Indian Government; and that all other revenues should then be handed over

*Report of Montagu (Secretary of State for India) and Lord Chelmsford (Viceroy and Governor-General of India) published in July, 1918.

to the Provincial Governments, which will thenceforth be held wholly responsible for the development of all provincial services. This, however, means that the existing resources will be distributed on a different basis, and does not get over the difficulty of giving to the Central and Provincial Governments entirely separate resources. Let us see how this is to be done.

202. Almost everyone is agreed that a complete separation is in theory desirable. Such differences of opinion as we have met with have mostly been confined to the possibility of effecting it in practice. It has been argued for instance that it would be unwise to narrow the basis on which both the central and provincial fiscal systems are based. Some of the revenues in India, and in particular the land revenue and excise, have an element of precariousness; and the system of divided heads, with all its drawbacks, has the undeniable advantage that it spreads the risks. This obejection will, however, be met if, as we claim our proposed distribution gives both the Indian and the Provincial Governments a sufficient measure of security. Again we have been told that the complete segregation of the Government of India in financial matters will lower its authority. This argument applies to the whole subject of decentralization and provincial autonomy. It is not necessary for us to meet it further. Our whole scheme must be even and well balanced, and it would be ridiculous to introduce wide measures of administrative and legislative devolution and at the same time to retain a centralised system of finance.

203. There are two main difficulties about complete separation. How are we to dispose of the two most important heads which are at present divided—land revenue and income-tax—and how are we to supplement the yield of the Indian heads of revenue in order to make good the needs of the Central Government? At present the heads which are divided in all or some of the provinces are :—land-revenue, stamps, excise, income-tax and irrigation. About stamps and excise there is no trouble. We intend that the revenue from

the stamp duty should be discriminated under the already well-marked sub-heads *General* and *Judicial*; and that the former should be made an Indian and the latter a provincial receipt. This arrangement will preserve uniformity in the case of commercial stamps where it is obviously desirable to avoid discrepancies of rates; and it will also give the provinces a free hand in dealing with Court-fee stamps; and thus provide them with an additional means of augmenting their resources. Excise is at present entirely a provincial head in Bombay, Bengal and Assam and we see no valid reason why it should not now be made provincial throughout India. At this stage the difficulties begin. Land revenue, which is by far the biggest head of all, is at present equally shared between the Indian and all the Provincial Governments, except that Burma gets rather more than one-half and the United Provinces gets rather less. Now land revenue assessment and collection is so intimately concerned with the whole administration in rural areas that the advantages of making it a provincial receipt are obvious . . . We propose . . . to make land-revenue, together with irrigation, wholly provincial receipts. It follows that the provinces will become entirely liable for expenditure in famine relief and protective irrigation works. . . The one remaining head is income-tax. We see too very strong reasons for making this an Indian receipt . . . To sum up; we propose to retain the Indian and provincial heads as at present, but to add to the former income-tax and general stamps, and to the latter land-revenue, irrigation, excise, and judicial stamps. No heads will then remain divided.

203. It follows from our proposed separation of revenues that there will in future be also a complete separation of the central and provincial budgets; and that the former will henceforward include only the direct transactions of the Government of India, and not as at present those of the provinces also. It likewise follows that there will be no more earmarking of any portion of provincial balances; and that portions previously earmarked will be available for general purposes.

212. These measures will give Provincial Governments the liberty of finacial action which is indispensable; but the provinces must also be secured against any unnecessary interference by the Government of India in the spheres of legislative and administrative business. It is our intention to reserve to the Government of India a general over-riding power of legislation for the discharge of all functions which it will have to perform. It should be enabled under this power to intervene in any province for the protection and enforcement of the interests for which it is responsible; to legislate on any provincial matter in respect of which uniformity of legislation is desirable either for the whole of India or for any two or more provinces; and to pass legislation which may be adopted either *simpliciter* or with modifications by any province which may wish to make use if it. We think that the Government of India must be the sole judge of the propriety of any legislation which it may undertake under any one of these categories, and that its competence so to legislate should not be open to challenge in the courts. Subject to these reservations we intend that within the field which may be marked off for provincial legislative control the sole legislative power shall rest with the provincial Legislatures. The precise method by which this should be effected is a matter to be considered when the necessary statute is drafted, and we reserve our final opinion upon it. There are advantages in a statutory demarcation of powers such as is found in some federal constitutions, but we feel that if this is to leave the validity of the acts to be challenged in the courts on the ground of their being in excess of the powers of the particular Legislature by which they are passed, we should be subjecting every Government in the country to an almost intolerable harassment. Moreover, in India where the Central Government must retain large responsibilities, as for defence and law and order, a statutory limitation upon its legislative functions may be inexpedient. We have already referred to the fact that there has been growing up in India for some time a convention which by now has acquired no little strength to the effect that the Central Government shall not without strong reason legislate in the internal affairs of provincss. We think therefore that

it may be better, instead of attempting to bar the legislative power of the Government of India in certain spheres of provincial business, to leave it to be settled as a matter of constitutional practice that the Central Government will not interfere in provincial matters unless the interests for which it is itself responsible are directly affected.

213. The question of restraining the Central Government from administrative interference in the provinces in made difficult. We recognize that, in so far as the Provincial Governments of the future will still remain partly bureaucratic in character, there can be no logical reason for relaxing the control of superior official authority over them, nor indeed would any general relaxation be approved by Indian opinion; and that in this respect the utmost that can be justified is such modification of present methods of control as aims at getting rid of interference in minor matters, which might very well be left to the decision of the authority which is most closely acquainted with the facts. It is, however, in relation to Provincial Governments in their popular aspects that serious difficulties present themselves. So long as the Government of India itself is predominantly official in character and, therefore, remains amenable to the Secretary of State, its interference in any matters normally falling within the range of popular bodies in the provinces involves a clash of principles which cannot fail to engender some heat, and the scope of which it is on all grounds desirabte to keep within very closely defined bounds. At the same time we perceive that there are many matters which, taken in bulk, may reasonably be regarded as fitted for administration by popular bodies, but which have aspects that cannot fail to be of intimate concern to the Government which is responsible for the security or good administration of the whole country.

Dyarchy in Provinces

218. We propose . . . that in each Province the Executive Government should consist of two parts. One part would comprise the head of the Province and an Executive Council of two members. In all provinces the head of the Government

would be known as Governor, though this common designation would not imply any equality of emoluments or status, both of which would continue to be regulated by the existing distinctions, which seem to us generally suitable. One of the two Executive Councillors would in practice be a European, qualified by long official experience, and the other would be an Indian. It has been urged that the latter should be an elected member of the Provincial Legislative Council. It is unreasonable that choice should be so limited. It should be open to the Governor to recommend whom he wishes. In making his nominations the Governor should be free to take into consideration the names of persons who had won distinction, whether in the Legislative Council or any other field. The Governor-in-Council would have charge of the reserved subjects. The other part of the Government would consist of one member, or more than one member, according to the number and importance of the transferred subjects, chosen by the Governor from the elected members of the Legislative Council. They would be known as ministers. They would be members of the executive Government, but not members of the Executive Council; and they would be appointed for the life-time of the Legislative Council and if re-elected to that body would be re-eligible for appointment as members of the executive. As we have said, they would not hold office at the will of the Legislature, but at that of their constituents. We make no recommendation in regard to pay. This is a matter which may be disposed of subsequently.

219. The portfolios dealing with the transferred subjects would be committed to the ministers, and on these subjects the ministers together with the Governor would form the administration. On such subjects their decisions would be final, subject only to the Governor's advice and control. We do not contemplate that from the outset the Governor should occupy the position of a purely constitutional Governor who is bound to accept the decisions of his ministers. Our hope and intention is that the ministers will gladly avail themselves of the Governor's trained advice upon administrative questions, while on his part he will be willing to meet their wishes to the

furthest possible extent in cases where he realizes that they have the support of popular opinion. We reserve to him a power of control, because we regard him as generally responsible for his administration, but we should expect him to refuse assent to the proposals of his ministers only when the consequences of acquiescence would clearly be serious. Also we do not think that he should accept without hesitation and discussion proposals which are clearly seen to be the result of inexperience. But we do not intend that he should be in a position to refuse assent at discretion to all his ministers' proposals. We recommend that for the guidance of Governors in relation to their ministers and indeed on other matters also, an Instrument of Instrutions be issued to them on appointment by the Secretary of State in Council.

220. There is another provision which we wish to make. The Governor may be himself unfamiliar with Indian conditions; and his Government, constituted as we have proposed, will contain only one European member. He will thus normally have only one member with official experience. In some provinces, where the Governor is himself an official and thoroughly familiar with the requirements of the Province, the advice and assistance of one official colleague may suffice. But in other cases this will not be so. We propose, therefore, that the Governor should appoint, if he chooses, one or two additional members of his Government, as members without portfolio, for purposes of consultation and advice. It is true that it is always open to the Governor to seek the advice of any of his officials; but that is not the same thing as appointing them to be members of the Government with the status and authority attaching to such office. The additional members would still discharge the functions of, and draw the pay attached to their substantive appointments.

221. It is our intention that the Government thus composed and with this distribution of functions shall discharge them as one Government. It is highly desirable that the executive should cultivate the habit of associated deliberation and essential that it should present a united front to the

outside. We would therefore suggest that, as a general rule, it should deliberate as a whole, but there must certainly be occasions upon which the Governor will prefer to discuss a particular question with that part of his Government, directly responsible. It would therefore rest with him to decide whether to call a meeting of his Government, or of either part of it, though he would doubtless pay special attention to the advice of the particular member or minister in charge of the subject under discussion. The actual decision on a transferred subject would be taken, after general discussion, by the Governor and the other members of his Executive Council, who would arrive at their decision in the manner provided in the existing statute. The additional members, if present, would take their share in the discussion, but would in no case take a part in the decision. At a meeting of the whole Government there would never be, in fact, any question of voting, for the decision would be left, as we have stated, to that part of the Government responsible for the particular subject involved. But there are questions upon which the functions of the two portions of the Government will touch or overlap, such, for instance, as decisions on the budget or on many matters of administration. On these questions, in case of a difference of opinion between the ministers and the Executive Council, it will be the Governor who decides.

222. Let us now see the advantages of this transitional arrangement and anticipate criticisms. It has been urged with great force that, at the outset, it would be unfair to entrust the responsibility for the administration of any subject to men holding office at the will of the Legislative Council. The Legislative Council has had no experience of the power of dismissing ministers, or the results attending the exercise of such power. Nobody in India is yet familiar with the obligations imposed by tenure of office at the will of a representative assembly. It is only by actual experience that these lessons can be learned. But our scheme provides security of tenure for ministers for the life-time of the Council during the preliminary period, and therefore gives some time, which we think should be short, to prepare for the full exercise of res-

ponsibility. By the device, however, of appointing the ministers from the elected members of the Legislative Council and making their tenure office conditional on the retention of their seats we have established at once some measure of responsibility, in the form of responsibility to their coustituents, and have thus put an end to the condition of affairs in which those entrusted with the administration are wholly irresponsible to the constituents who elect the Legislative Council. By dividing the Government into what will in effect be two committees with different responsibilities we have ensured that members of the Government accountable to different authorities do not exercise the same responsibility for all subjects. By entrusting the transferred portfolios to the ministers, we have limited responsibility to the Indian electorate to those subjects in which we desire to give responsibility first. We have done this without now, or at any time, depriving the Indian element in the Government of responsibility for the reserved subjects. The fact that we are entrusting some functions of Government to ministers makes it impossible for us to contemplate the retention in any Province of an Executive Council of more than two members; but the reduction of the European element in the Council may be regarded as equivalent to an increase in the Indian element. At the same time, by the appointment of the additional members of the Government we have secured that the Governor shall have at his disposal ample official advice. The arrangement admits of adjustment to the different Provinces, because we contemplate that the number of transferred subjects, and therefore the number of ministers, may vary in each province. It is quite true that our plan involves some weakening of the unity of the executive and some departure from constitutional orthodoxy, but whenever and wherever we approach this problem of realizing responsibility at different times in different functions we find it impossible to adhere tightly to theoretical principles. It would be impossible attain our object by a composite Government so composed that all its members should be equally responsible for all subjects. At the same time, it is necessary to secure that the whole executive should be capable of acting together. What we can do is to aim at minimizing causes of friction; and we

have proposed arrangements that can be worked by mutual forbearance and a strong common purpose. It is our intention that the decisions of the Government should be loyally defended by the entire Government, but that the ministers should feel responsibility for conforming to the wishes of their constituents. It is true that these two forces may pull in different ways; but, though the analogy is clearly not complete, there are occasions when members of a Government, and indeed members of Parliament at Home, have to choose between loyalty to the Government and to their own consituents. All the members of the composite executives will be chosen by the Governor and his position in the administration will enable him to act as a strong unifying force. The habit of deliberating as a whole will also tend to preserve the unity of the Government, while the special responsibility of either part for the subjects committed to it will be recognised by the Legislative Council and the electorate. It seems to us, therefore, that, both from the point of view of capacity for development and from that of ensuring co-operation while developing responsibility, our arrangement is the best that can be devised for the transitional period.

223. Our proposals may strike some critics as complicated. But few constitutions, except those of a purely despotic character, can be described without some appearance of complication; and the course which we have deliberately chosen, and which is in its nature experimental and transitional, is relatively elaborate because it involves the temporary co-ordination of two different principles of government If we had proposed to delay the concession of any responsibility at all until such time as we could give complete responsibility, our scheme certainly would have had the minor merit of simplicity. But apart from our obligation to comply with the announcement of August 20, we feel that such a course would have subjected the mechanism of government, when the change from irresponsibility to complete responsibility came, to so violent a shock that it might well have broken down. We were driven therefore first to devising some dualism in the executive; and secondly to providing for such a balance of

power between the two portions as would permit the one portion to grow without at the same time disabling the other from discharging its very necessary functions of preserving continuity and safeguarding essentials. Given such difficult conditions we do not think that a less elaborate solution can readily be devised.

Communal Electorates

227. . . we are brought face to face with the most difficult question which arises in connexion with elected assemblies— whether communal electorates are to be maintained. We may be told that this is a closed question, because the Muhammadans will never agree to any revision of the arrangement promised to them by Lord Minto in 1906 and secured to them by the reforms of 1909. But we have felt bound to re-examine the question fully in the light of our new policy, and also because we have been pressed to extend the system of communal electorates in a variety of directions. This is no new problem . . . There has hitherto been a weighty consensus of opinion that in a country like India no principle of representation other than by interests is practically possible. Lord Dufferin held this view in 1888, and in 1892 Lord Lansdowne's Government wrote that: —"The representation of such a community upon such a scale as the Act permits can only be secured by providing that each important class shall have the opportunity of making its views known in Council by the mouth of some member specially acquainted with them." We note that in 1892 the small size of the Councils was reckoned as a factor in the decision and that the contrary view was not without its exponents; but we feel no doubt that Lord Minto's Government followed the predominant opinion when in 1908 they pressed for an important extension of the communal principle. Thus we have had to reckon not only with the settled existence of the system, but with a large volume of weighty opinion that no other method is feasible.

228. The crucial test to which, as we conceive, all proposals should be brought is whether they will not help to carry

India towards responsible government. Some persons hold that for a people, such as they deem those of India to be, so divided by race, religion and caste as to be unable to consider the interests of any but their own section, a system of communal and class representation is not merely inevitable, but is actually best. They maintain that it evokes and applies the principle of democracy over the widest range over which it is actually alive at all by appealing to the instincts which are strongest; and that we must hope to develop the finer, which are also at present the weaker, instincts by using the forces that really count. According to this theory communal representation is an inevitable, and even a healthy, stage in the development of a non-political people. We find indeed that those who take this view are prepared to apply their principles on a scale previously unknown, and to devise elaborate systems of class or religious electorates into which all possible intercastes will be deftly fitted. But when we consider what responsible government implies, and how it was developed in the world, we cannot take this view. We find it in its earliest beginnings resting on an effective sense of the common interests, a bond compounded of community of race, religion and language. In the earlier form which it assumed in Europe it appeared only when the territorial principle had vanquished the tribal principle, and blood and religion had ceased to assert a rival claim with the State to a citizen's allegiance; and throughout its development in Western countries, even in cases where special reasons to the contrary were present, it has rested consistently on the some root principle. The solitary examples that we can discover of the opposing principle are those of Austria, a few of the smaller German states, and Cyprus. It is hardly necessary to explain why we dismiss these as irrelevant or unconvincing. We conclude unhesitatingly that the history of self-government among the nations who developed it, and spread it through the world, is decisively against the admission by the State of any divided allegiance; against the State's arranging its members in any way which encourages them to think of themselves primarily as citizens of any smaller unit than itself.

229. Indian lovers of their country would be the first to admit that India generally has not yet acquired the citizen spirit, and if we are really to lead her to self-government we must do all that we possibly can to call it forth in her people. Division by creeds and classes means the creation of political camps organized against each other, and teaches men to think as partisans and not as citizens; and it is difficult to see how the change from this system to national representation is ever to occur. The British Government is often accused of dividing men in order to govern them. But if it unnecessarily divides them at the very moment when it professes to start them on the road to governing themselves, it will find it difficult to meet the charge of being hypocritical or short-sighted.

230. There is a another important point. A minority which is given special representation owing to its weak and backward state is positively encouraged to settle down into a feeling of satisfied security; it is under no inducement to educate and qualify itself to make good the ground which it has lost compared with the stronger majority. On the other hand, the latter will be tempted to feel that they have done all they need do for their weaker fellow countrymen, and that they are free to use their power for their own purposes. The give-and-take which is the essence of political life is lacking. There is no inducement to the one side to forbear or to the other to exert itself. The communal system stereotypes existing relations.

231. We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle. The evils of any extension of the system are plain. Already communal representation has been actually proposed for the benefit of a majority community in Madras. At the same time, we must face the hard facts. The Muhammandans were given special representation with separate electorates in 1909. The Hindus' acquiescence is embodied in the present agreement between the political leaders of the two communities.[1] The Muhammadans regard these as settled facts, and any attempt to go back on them would

1. The reference is to the Lucknow Pact.

rouse a storm of bitter protest and put a severe strain on the loyalty of a community which has behaved with conspicuous loyalty during a period of very great difficulty, and which we know to be feeling no small anxiety for its own welfare under a system of popular government. The Muhammadans regard separate representation and communal electorates as their only adequate safeguards. But apart from a pledge which we must honour until we are released from it, we are bound to see that community secures proper representation in the new Councils. How can we say to them that we regard the decision of 1909 as mistaken, that its retention is incompatible with progress towards responsible government, that its reversal will eventually be to their benefit; and that for these reasons we have decided to go back on it ? Much as we regret the necessity, we are convinced that so far as Muhammadans at all events are concerned the present system must be maintained until conditions alter, even at the price of slower progress towards the realization of a common citizenship. But we can see no reason to set up communal representation for Muhammadans in any province where they form a majority of the voters.

232 We have been pressed to extend the concession to other communities. Some have based their claim on their backward, others on their advanced, condition. Thus, the Sikhs in the Punjab, the non-Brahmans in Madras (although in that presidency these actually constitute a majority), the Indian Christians, the Anglo-Indians, the Europeans, and the Lingayat community in Bombay have all asked for communal representation. The large landowning classes also generally desire representation in an electorate of their own. Now, our decision to maintain separate electorates for Muhammadans makes is difficult for us to resist these other claims; but, as we have felt ourselves bound by promises given and renewed by Secretaries of State and Viceroys and in their respect at all events our recommendation involves no new departure. Any general extension of the communal system, however, would in our deliberate opinion be fatal to that development of representation upon the national basis on which alone a system of responsible government can possibly

be rooted. At the same time, we feel that there is one community from whom it is inexpedient to whithhold the concession. The Sikhs in the Punjab are a distinct and important people; they supply a gallant and valuable element to the Indian Army; but they are everywhere in a minority, and experience has shown that they go virtually unrepresented. To the Sikhs, therefore, and to them alone, we propose to extend the system already adopted in the case of Muhammadans.

For the representation of other minorities we should prefer nomination. Even in the case of the general European community, whose material interests in the country are out of all proportion to their numerical strength and on whose behalf it may be argued that no departure from principle is involved, inasmuch as unlike all other communities named they are not an integral part of the population of India, we prefer to rely upon nomination. Special electorates will no doubt be required for the representation of the planting and mining interests, for the chambers of commerce, and possibly also for the universities; but we desire that the number of such electorates should be as restricted as possible, and that minority interests should, where necessary, be represented not by class or interest electorates, but by nomination, Where the great landowners form a distinct class in any province we think that there will be a case for giving them an electorate of their own. The anomaly involved in the presence of nominated members in a Council to which we are giving some responsible powers must, we think, be accepted as one of the necessary illogicalities attendant on a transitional period. Such nominations are made for a representative purpose and can be made in such a way as to secure representation. Nomination has in our eyes the great advantage over the alternative of extending the class or communal system that it can be more easily abolished when the necessity for it ceases. We look to the desire of the communities represented by nominated members to see their representatives in Council placed upon the same footing as those of other communities to help us in securing the extension of the territorial principle of representation wherever possible. . .

Goal of Political Evolution in India

349. Our conception of the eventual future of India is a sisterhood of States, self governing in all matters of purely local or provincil interest, in some cases corresponding to existing Provinces in others perhaps modified in area according to the character and economic interests of their people. Over this congeries of States would preside a central Government, increasingly representative of and responsible to the people of all of them; dealing with matters, both internal and external, of common interest to the whole of India; acting as arbiter in inter-state relations, and representing the interests of all India on equal terms with the self-governing units of the British Empire. In this picture there is a place also for the Native States. It is possible that they too will wish to be associated for certain purposes with the organization of British India in such a way as to dedicate their peculiar qualities to the common service without loss of individuality.

350. But it seems to us axiomatic that there cannot be a completely representative and responsible Government of India on an equal footing with the other self-governing units of the British commonwealth until the component States whose people it represents and to whom it is responsible, or at least the great majority of them, have themselves reached the stage of full responsible government. Nor even then can we say that the form or the degree of responsibility which will be reached in India will exactly correspond to that attained by the Dominions. The final form of India's constitution must be evolved out of the conditions of India, and must be materially affected by the need for securing Imperial responsibilities. The dominating factor in the intermediate process must be the rate at which the Provinces can move towards responsible government. At the same time, change obviously cannot be confined to the Provinces. In proprotion as they become more responsible the control which the Government of India exercise over them must diminish. But it is not merely a question of the extent of the control; the nature and manner of exercise must in course of time be

modified. We cannot think that States on the way to responsible government, which have imbibed a large element of responsibility into their constitutions, can be controlled by a purely autocratic power. So also with the duties extending over the whole of India which will be discharged by the Government of India as its special concern. It is impossible that while other duties which differ from them mainly in being local in scope or subject to differentiation are being administered by responsible Governments, those which fall to the Government of India should be administered autocratically. It follows, therefore, that change in the Provinces implies change in the Government of India, but it does not imply that the change should be simultaneous or in equal proportion. On the contrary, the change need simply be so much as to render the Government of India a suitable instrument for controlling the Provinces at the stage at which they have for the time being arrived.

351. Similarly all movement towards responsible government in India implies a corresponding change in the constitution of the controlling agency in England. We cannot predict what kind of agency India will wish to maintain in London once she has attained the status of full partnership in the Empire; but it must be very different from the existing arrangements. . . . .in relation to India. Parliament will, we imagine, observe the principles long adopted towards the British self-governing colonies, and will contract its interference and control in direct proportion to the expansion of self-government. As this grows, the volume of business in which Parliament will interfere will steadily shrink, and the occasions will be rarer on which the Secretary of State will have to exercise control and will need to be advised regarding its exercise. This points to a diminution in the establishment of the India Office and possibly to a modification in the Council of India. But here, again, it is a question not merely of the volume of work but also of the spirit in which it is conducted. In dealing with organizations which have become largely representative in some degree responsible, the need for mutual understanding and action strengthened by consent will be

continually enhanced.

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352. Again, while the growth of responsibility in India will lead to decreased intervention by the Secretary of State and Parliament in day-to-day administration, the fact that India's further political progress is to be determined by Parliament makes it imperative that Parliament should be better informed about and more keenly interested in Indian conditions. The decisions to be taken in the future must to some extent be controversial; different advice about them will be offered from different sources; and Parliament which is the final arbiter of India's destiny should be in a position to form a wise and independent judgement. For these reasons we have suggested means in improving its opportunities of exercising a well-informed control.

353. We conclude therefore that change in any one portion of the Indian polity will involve changes on parallel lines but by no means at an equal pace in the other portions; and we claim that our proposals satisfy this fundamental principle. We begin with a great extension of local self-government so as to train the electorates in the matters which they will best understand. Simultaneously we provide for a substantial measure of self government in the Provinces and for better representation and more criticism in the Government of India and for fuller knowledge in Parliament. And we suggest machinery by means of which at regular stages the element of responsibility can be continuously enlarged and that of official control continuously diminished, in a way that will guarantee ordered progress and afford an answer to intermediate representations and agitation.

GOVERNMENT OF INDIA ON MONTFORD REPORT*

The Report itself was published in India on July 8, 1918; and you will expect us to give you as clear an impression as we can of its reception. The non-official European community

*Despatch to Secretary of State for India, March 5, 1919.

took some time to form their opinions on proposals so intricate and so far reaching. Indian opinion declared itself more rapidly, and from the first there ensued a clear division between the moderate and extreme political parties. The former declared definitely for the Report, with certain reservations; the latter against it. The strongest expression of the latter view occurred in a letter published even before the Report appeared, urging that anything which originates with foreigners should be rejected as violating the principle of self-determination. The most advanced Bengal politicians adopted an attitude of uncompromising opposition. In Madras the recognised leaders of the advanced party had some difficulty in preventing the special conference which was held to consider the proposals from taking the same line. But the more responsible section of the party declared that, while the proposals were disappointing and unsatisfactory and required radical modifications before they could be held to constitute any substantial step towards responsible government, effort should be concentrated on obtaining such modifications rather than on the wholesale rejection of the scheme. The attitude of the moderate party, which we believe includes the ablest and most respected Indian opinion, was far more favourable to the Report. They welcomed its proposals as a real and substantial step towards the progressive realisation of responsible government in the provinces, and the modifications which they urged were, with the exception of those affecting the Government of India, concerned with the details rather than the essentials of the scheme. Opinion of this sort is fairly represented by the resolutions recorded by the majority of the non-official members of the Indian Legislative Council. . . .The independent line adopted by the moderates had for some time a restraining influence on the other party. The tendency which had at first been apparent to flout temperate opinion gave place to a desire for conciliation; and at the last moment efforts were made to induce the moderates to attend the special Congress held at Bombay towards the end of August to consider the proposals. These efforts failed, but the abstention of the majority of moderates was not without effect. The leaders of the special Congress made an appeal to moderates throughout

the country to rally to the national association. There was no talk of rejecting the reform proposals. They were still declared. . .to be disappointing and unsatisfactory; but the general decision was that with somewhat radical alterations they could be accepted as forming a substantial step towards responsible government. The change of tone did not persuade the moderates to come in, and they held a conference of their own at Bombay early in November. . .The last of this series of meetings was the ordinary session of the Congress which met at Delhi in December. The spirit of toleration was no longer in the ascendant and in spite of all efforts to the contrary the most radical elements of the extreme party threw over most of their recognised leaders, and advanced claims far beyond any made at Bombay by demanding the grant of full responsible government in the provinces at once.

Thus it may be said that while the most vocal sections of Indian opinion unite in claiming a further advance than has been proposed in the Report, there are between the attitude of the moderates and that of the more extreme politicians marked differences which we shall now explain. Both parties agree in urging that changes giving some measure of popular control should be introduced into the Government of India from the outset: and that the Government of India, acting under the control of the legislature, should enjoy the same power of regulating the fiscal policy of this country as the Governments of the self-governing Dominions. There are also numerous points of agreement in matters of detail; but in regard to such questions of fundamental importance as the Council of State, the Grand Committee, the budget procedure, the relations of the Governor to his ministers, and a statutory guarantee for the grant of full responsible government within a fixed period, the two parties take very different lines. The extreme party would have no Council of State and no Grand Committee; and they desire to give the legislature complete control over the budget, and to make the Governor a purely constitutional Governor in relation to his ministers. As these demands, if satisfied, would give them complete control over legislation and finance, it makes little difference whether they

claim complete responsible government at once or after a limited period. On the other hand, the moderates accept the principle of dualism in government, and in the provincial sphere they merely press for such changes in detail as equality of status between councillors and ministers, reconsideration of the proposal to appoint additional members without portfolios, the selection of heads of provinces from the ranks of public men in England, complete provincial autonomy in respect of transferred subjects, and the largest possible extension of the list of transferred subjects. Another phase of opinion, however, is represented by the memorial. . . .from certain land-holding members of the Indian Legislative Council who ask that progress should partly take the form of converting the leading zamindars into independent chiefs: a proposal clearly not in keeping with the principles set forth by His Majesty's Government. The great majority of the landholding class are more conservative. They have said little in public and are doubtful of their own preparedness to take their proper place in the forward movement. But thev are unmistakably proud that India has been offered this signal mark of confidence, and in no sense hostile.

The non-official European community was at first disposed to question the wisdom of raising the subject of reforms during the war, but with the change in the situation in Europe this criticism lost much of its force. There is dissatisfaction with the proposal that the community, which forms the only element in the population accustomed to the working of responsible government, should not elect its own representatives on the provincial council. They claim a separate electorate and representation in proportion to their importance rather than their numerical strength; and they doubt whether even this will sufficiently secure the interests of trade and industry. They think that the scheme as a whole is ingenious but too complex; and they fear that it may result in the transfer of power to the advanced political section to the detriment of the masses, who have no desire for any change in the system of government. They also dwell on the difficult of presenting their opinion until the proposals in respect of electorates and

the division of functions have been completed.

Official opinion can be gauged only from individual deliverances. It is generally critical of the scheme; but we desire to take this opportunity of controverting the suggestion that has found some currency in this country that the criticism proceeds from a purely selfish point of view. Such a view is unfair to a body of men who have served India faithfully and have its real welfare strongly at heart. There is no justification for the charge that searching criticism of the particular proposals in the Report implies any opposition to the underlying policy. The difficulties of the problem loom large with those on whom the burden of administration now rests; and it is, we believe, their pride in and affection for their work which has made them the most anxious critics of far-reaching innovations. The permanent British official in India has not as a rule taken any part in the democratic institutions of his own land, and is frankly sceptical of their suitability to an eastern country. By the nature of his work, he comes into touch with the vast masses of the people, who have no political aspirations, rather than with the more advanced thinkers. He apprehends that the former will suffer from the administrative in experience of the latter; and he is anxious for safeguards which will protect them, while at the same time securing the standards of thoroughness and impartiality in public business to which he has been trained. By all the best elements in this class, the declaration of August, 1917, is accepted, and the need for advance is admitted: but the proposals of the Report are commonly criticised as going beyond the present needs of India.

The cautions of the official mind are crystallized in the opinions of the Local Governments. On their first perusal it must have disappointed the authors of the Report to find that the Provincial Governments had devoted themselves so largely to destructive criticism. We do not think, however, that this was unnatural. Their opportunities for constructive work had come earlier; and their proposals, both individually and at the conference of Heads of provinces which met His

Excellency and yourself in January, 1918, had been among the materials on which the conclusions embodied in the Report were based. They might thus not unreasonably feel that there was no further occasion for them to set out alternative schemes; and that the best service they could render us was to apply themselves to a vigorous and searching examination of the Report in detail. In this task, whether we agree with them or not, we must recognize the weight of their influence. The Local Governments are repositories of practical first-hand experience of the working of the administrative machine. They know its limits and its possibilities, and the attitude of different sections of the people towards it. They can speak with intimate knowledge upon much that in the Report had to be dealt with on very general considerations. We feel that we owe all respect to their criticisms in detail . . . Their great value has been, not to throw doubt on the principles which we accept and which their examination has in no wise shaken, but to make us pause and remove defects which such examination reveals . . .

Lastly we come to a statement of our own position. When these questions of constitutional reform were under consideration last year the main responsibility rested upon the two authors of the Report. The members of the Government of India were indeed kept in close touch with the deliberations and no important conclusions were arrived at without reference to them. They have also in their despatch no. 6, dated May 31, 1918, cordially supported the general policy which the Report embodies. We take our stand on that despatch. We are convinced that the time has come for the definition of our goal in India; and we can conceive no other goal, consistent with the ideals of British history, except that the people of India, helped and guided by us, should learn to govern themselves. Whether their national life will flow into the precise constitutional moulds to which Englishmen by tradition are attached, or whether—as we think equally possible—it will ultimately work out for itself free institutions of a distinctive type, time alone can tell. Nor need we speculate whether India is going to borrow our history. Our clear

duty is to put her into the way which we believe to be the best, and to allow the character of the nation, as it grows and is welded by experience and trial, to deflect our present methods gradually and intelligently towards ideals which it will adopt as its own. We regard it as beyond question that the first stage of advance must be a generous one, undertaken at the earliest possible moment. To postpone it now would be a confession of mistrust of our own work, and would alienate those classes in the country to whom we must look for the leadership of the new movement. We should particularly deplore any argument for delay, based on disclosures of revolutionary conspiracies which are utterly foreign to the real life of the people, and confined to an inconsiderable section. We believe indeed that, while it is necessary to deal firmly with crime arising out of these conspiracies, repressive measures, unless coupled with definite steps in the direction of political advance, can provide only a temporary remedy. There probably would be no point of time at which we should not feel that something still remained to be done by way of preparation for the beginnings of popular administration; but we must trust to perfect our work in co-operation with Indian public men, and we must be content to believe that we have laid our foundations well, and that they will bear the new superstructure. In all this we feel that we are moving with a spirit which is stronger than our calculations; and we accept whatever lies ahead. But that consideration only adds to the weight of responsibility which lies upon us when we come to advise upon the details of the plan of advance. To the form of provincial government which the Report sets up as the main vehicle of progress we have nothing to oppose; we have seen no alternative which in any way competes with it. But we can best fulfil our task and discharge our responsibility by helping you to develop the new system into a working proposition. It is a novelty in constitutions; and none of us can prophesy the manner of its growth. But there are to our minds certain universal tests of administrative machinery; its smoothness or friction in working, its burdensomeness on the people or the reverse, its educative value, and its capacity for further development. To every detail of the scheme

therefore we have applied these tests, and our advice is based on its response to them. It has been no purpose of ours either to whittle down the scheme or to expand it. We take the scheme in the Report as one which, in all essentials, has our full adherence; and our sole aim has been to translate it into a working plan which, while free from obvious defects, will be in accord with the policy of His Majestys' Government.

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THE GOVERNMENT OF INDIA ACT, 1919

MONTAGU ON GOVERNMENT OF INDIA BILL, 1919*

. . . I would . . . . remind the House that deliberately, of intention, in accordance with the terms of the pronouncement of the 20th August, this Bill does not pretend to give to India a Constitution that will endure. It is transitional; it is a bridge between government by Parliament and government by the representatives of the peoples of India . . .

. . . . There are the proposals for devolution, the proposals for decentralization. I have heard no critic in these two years who has not told me that it is absolutely essential to get greater freedom for the Government of India from the India Office. I have hardly met a critic who has not told me that it is absolutely essential for the Local Governments to get more freedom from the Government of India . . . I do not think that anybody questions that, from the point of view of administrative convenience, if on no higher grounds, government by dispatch, with all its cumbrous machinery, all its necessarily delaying methods, all the difficulties attending upon considering and reconsidering plans and projects over thousands of miles of land and thousands of miles of sea, all that ought to be got rid of . . . The only possible substitute for government by dispatch is government by vote. The only possible way of really achieving devolution and making the unit . . . responsible for the management of its own affairs, is to make the Government of that unit responsible to the representatives

*Speech of the Secretary of State for India in the House of Commons, June 5, 1919. (Excerpts).

of the people. If you simply say, 'Let us have an irresponsible Government in a province, and let the Government of India not interfere, and the Secretary of State not interfere,' you have a policy which is merely the 'enthronement of bureaucracy and the very negation of the progressive realization of responsible government.

....In order to realize responsible government, and in order to get devolution.....you have to choose your unit of government, and you have got in that unit to create an electorate which will control the Government.....It is in the province that you must look for your unit, because it is in the provinces that the great educational results of Lord Morley's Reform Bill have been achieved. He made the Legislative Councils representative to some extent of the people, with a very small electorate and practically no powers beyond powers of criticism. But it is the existence of those Councils which has awakened the appetite for self-government, and has added to the appreciation of self-government in India, and it is therefore, to my mind, absolutely inevitable that we should proceed to devote ourselves to taking the Morley-Minto Councils a stage farther in their development. Therefore, it is to the provinces that we go, and the provinces are beginning to be the units of local patriotism in India.

If I have carried the House with me in the suggestion that the province is the unit in which we shall start a progressive realization of responsible government, what are the difficulties that we have to face? .. The difficulties are these ...You have a small fraction of the population highly educated and a large proportion of the population not educated at all. You have, secondly, great diffierences of race and religion and great difficulties arising out of the harsh customs and precepts of caste. I cannot help believing that there is no better way of getting over those difficulties than by representative institutions. There is no greater stimulus to education, there is no better way of promoting community of action or of overcoming the acerbities of caste than by setting to the population a common task to do together, to work out the prosperity

of their country. . . .

Despite all these difficulties, I therefore say the essence of the problem is to train the electors. . . .proposals have been made to put 5,000,000 voters on the register. But you do not form an electorate by that mere process. You have to get them to vote and you have to get them of understand what a vote means. You have to get them to appreciate the results of a vote. There is only one way do doing that, and that is to make the vote of some value. . .Therefore it is a necessary step for the training of an electorate that you must give it power through its' representatives. . .You have to give the electorate which you create men responsible to it to carry out its demands

If I have carried the House thus far, the next step must be that you have to choose a part of the provicial functions which at the outset you will entrust to the representatives of the people. Anyone who has followed me in what I have said about education, about caste, and about religious differences, will realize that it is not right to entrust them with everything at the same moment. There are some things, such as the maintenance of peace and order. . . .things in which mistakes are irretrievable, things in which the electorate at the outset should not be able to enforce its demands, things like Land Revenue, which you should keep from the control of the representatives of the people. . .

. . .the only way to achieve our purpose was to reserve for the present and for the present only, certain functions of government under the control of the agents of this House, and to transfer other functions to the representatives of the people . . .the next question to be decided is, what is the form of ministry that you will set up to conduct them? Is it to be one or is it to be two? . . .if reserved subjects are to become transferred subjects one day, it is absolutely essential that, during the transitional period, although there is no direct responsibility for them, there should be opportunities of influence and consultation. Therefore, although it seems necessery to separate the responsibility, there ought to be

every room that you can possibly have for consultation and joint deliberation on the same policy, and for acting together for the purposes of consultation and deliberation, as the Bill provides, in one Government.

. . .This procedure would be absolutely indefensible if it were not for the fact that it was transitional, and if it were not for the fact that at stated periods it is proposed to hold a Parliamentary enquiry into its working, with a view to further stages. By that means there is a certain method of progress. By that means everything that happens will come under review, and the attitude adopted by each part of the Government to the affairs of the other part will be one of the prime factors in the decision of the Commission that reviews.

. . .I do not think the time has yet come for a similar movement in the Government of India. I think there we must take the step of one stage only, namely, to make the Legislative Assembly more representative, to give it greater power of influencing and criticizing, but not, at this moment, of responsibility. . .In so far as the Provincial Government has got to defer to its legislature by statute, that is to say in transferred subjects, you have a Government which is responsible to the electorate. Therefore there is no necessity to control it by the Government of India and you get the devolution which the men who want to perfect administration desire. Therefore the Government of India will not be concerned, generally speaking, with transferred subjects, and the Secretary of State will not be concerned with transferred subjects. Therefore, this House will not be concerned with transferred subjects. Therefore, so far as transferred subjects are concerned, we shall have parted with our trusteeship and surrendered it to the representatives of the peoples of India. . .

I implore this House to show to India to-day that Parliament is receptive of the case for self-government and only seeks on opportunity of completing it by the demonstrable realization of the success of its stages. . .'The future and the date upon which you realize the future goal of self-govern-

ment are with you, you are being given great responsibility to-day, and the opportunities of consultation and influence on other matters in which for the present we keep responsibility. You will find in Parliament every desire to help and to complete the task which this Bill attempts, if you devote yourselves to use with wisdom, with self-restraint, with respect for minorities, the great opportunities with which Parliament is entrusting you'. That is the message which. . .this House should send to the Indian peoples to-day. . .That massage cannot be sent unless the House is determined to pass. . .a statute which means the beginning of self-government, responsible government, in the Indian Empire.

THE CREWE COMMITTEE ON 'HOME' ADMINISTRATION OF INDIAN AFFAIRS, 1919*

(Excerpts)

8. There is much in the existing system which has its origin in arrangements suited to the control by the East India Company of its commercial operations in a distant land. These operations led to the exercise by the Company of governmental powers, in regard to which Parliament from an early date asserted its supremacy. The inter-action of the two forces had by 1858 produced a constitution which may shortly be described as follows :—The executive management of the Company's affairs was in the hands of a Court of Directors, who were placed in direct and permanent subordination to a body representing the British Government and known as the Board

* The Committee consisted of the Marquess of Crewe, Lord Inchcape. H. H. Aga Khan, Lord Esher, Mr. G. P. Collins, Mr. G E. Murray and Mr. Ormsby-Gore. Lord Inchcape was prevented by illness from joining the Committee. The Committee was appointed to enquire into the organisation of the India Office and the relations between the Secretary of State in Council and the Government of India. It was directed to have regard generally to the proposals made in the Report on Indian Constitutional Reforms for the reform of Government of India and provincial Governments, and in particular to the recommendations contained in paragraphs 290 to 295 of the Report.

of Control. The functions of the Board were in practice exercised by the President, who occupied in the Government a position corresponding to some extent to that of a modern Secretary of State for India. The Board of Control were empowered "to superintend, direct and control all acts, operations, and concerns which in anywise relate to the civil or military government or revenues of the British territorial possessions in the East Indies" (24 Geo. III., sess. 2, c. 25). Subject to the superintendence of the Board of Control, the Directors conducted the correspondence with the Company's officers in India, and exercised the rights of patronage in regard to appointments.

9. The transference of the administration of India to the Crown in 1858 was effected by the Act for the better Government of India (21 & 22 Vict., c. 106), which has regulated the Home administration of India since that year, and of which the main provisions were re-enacted in the consolidated Government of India Act, 1915-16. In general, the dual functions of the Board of Control and the Court of Directors were vested in the corporate body known as the Secretary of State for India in Council. The substitution of administrative responsibility on the part of the Government for the superintendence it had formerly exercised caused a redistribution of functions in which the lines of inheritance became to some extent obscured; but the persistence of the dual principle can still be traced in the corporate activities of the Secretary of State in Council.

10. "The Secretary of State has and performs all such or the other like powers and duties relating to the government or revenues of India, and has all such or the like powers over all officers appointed or continued under this Act, as, if the Government of India Act, 1858, had not been passed, might or should have been exercised or performed by the East India Company, or by the Court of Directors . . . .either alone or by the direction or with the sanction or approbation of the Commissioners for the Affairs of India" (i.e., the Board of Control) "in relation to that government or those revenues and the

officers and servants of that Company, and also all such powers as might have been exercised by the said Commissioners alone." [*Government of India Act*, 1915-16, section 2(1).]

11. The functions assigned to the Council of India were in some respects derived from the position previously held by the Court of Directors. Under the direction of the Secretary of State, and subject to the provisions of the Act, they "conduct the business transacted in the United Kingdom in relation to the government of India and the correspondence with India." But at the same time they were given a special function, which was presumably intended to act as a counterpoise to the centralisation of powers in the hands of the Secretary of State. In regard to certain decisions, and notably in regard to "the grant or appropriation of any part of" the revenues of India, the concurrence of a majority of votes at a meeting of the Council of India is required. This provision, usually referred to as the financial veto, has, not without reason, been regarded as the symbol of the special status assigned to the Council in its relationship with the Secretary of State. It is emphasised, though in a lesser degree, by the enactment that in all other matters, with two exceptions, the Secretary of State must consult his Council either at a weekly meeting or by the formal procedure of depositing his proposed orders on the Table of the Council Room for seven days prior to their issue, though he is empowered to overrule the Council's recommendations. The two exceptions are, first, that in cases of urgency he may issue orders without previously consulting the Council, provided that he subsequently communicates to the members his reasons for his action; and secondly, that "where an order or communication concerns the levying of war, or the making of peace, or the public safety, or the defence of the realm, or the treating or negotiating with any prince or state, or the policy to be observed with respect to any prince or state, and a majority of votes therefore at meeting of the Council of India is not required," the Secretary of State may act on his own initiative without reference to the Council, if he considers that the matter is of a nature to

require secrecy. Our description of the statutory functions of the Secretary of State and the Council of India is designedly brief, because we feel that the enumeration of legal powers and safeguards can only create a very inadequate impression of the actual principles which have been evolved in the working of the system. There are some elements which, as we have tried to show, have been derived from the days of a chartered Company yielding more and more to Parliamentary control, and others which were grafted on to the structure at the time when Parliament assumed complete responsibility through its Ministerial representative; but the whole organism has been moulded by the instinctive process of adaptation to a form which does not lend itself easily to definition in set constitutional terms. We are content for our purposes to envisage the system in its present working and in its reaction to the new conditions of Indian administration.

12. The new Council consists of from ten to fourteen members, each appointed for seven years, of whom nine at least must have served or resided in British India for ten years and must not have left India more than five years previously to their appointment. It is in the main a body differing in status but not in nature from the authorities in India whose activities come under its review. The Secretary of State in Council represents in fact that supreme element of expert control at the higher end of the chain of official administration. In corporate capacity he has delegated wide powers to the Indian administrations without divesting himself of his ultimate responsibilities as the governing authority. The main provisions of the Act of 1858, as we understand them, had the effect of giving prominence to these official duties of the corporation it established. But the Secretary of State, as distinct from the Secretary of State in Council, is generally responsible as a Minister for the co-ordination of Indian and Imperial policy. The Council are by law in a position to obstruct his policy, or indeed the policy of His Majesty's Government, by interposing their financial veto if Indian revenues are affected; but in practice they have acknowledged the supremacy of the Imperial Executive by accepting pro-

posals commumicated to them as decisions of the Ministry, in so far as those proposals raise issues on which they are legally competent to decide. We mention this demarcation of functions, to which we shall revert, to illustrate the way in which the hard outlines of legal definition have been rounded off by constitutional usage. But we are immediately concerned at present with the collective functions of the Secretary of State in Council in their relation to the Government of India. And in that relation the governing body was designed to assert an active supremacy. All measures, administrative, financial and legislative, of the authorities in India are referred to it for examination and decision, except in so far as by general or special orders it has delegated powers of sanction. Delegation has been carried out largely as a matter of expediency; with the direct object of increasing administrative efficiency; it has not implied, and has not been intended to imply, any radical change in the respective functions of the authorities between whom it has taken place. The Secretary of State in Council retains the ultimate authority as the head of the system; and we have now to see how far the conception of graduated official control—tempered, it may be, at various stages by the advice of representatives of the people—can be adapted to the principle of popular responsibility which is to be introduced.

13. The features which typify the Reforms Scheme are the transfer of some subjects of administration from officers of the Crown to representatives of the people in the provinces, and the encouragement in the Indian legislature of an authoritative expression of popular opinion to which the Governments will become increasingly responsive. Simultaneously with these developments a systematic delegation of powers, which, indeed, has long been felt to be desirable in the interests of efficiency, is contemplated in order that the free influence of the new forces may not be blocked at the outset by some survival of the system they are intended eventually to supplant. Leaving on one side for the present the provincial aspects, we proceed to discuss the effects of the scheme on the Government of India, where, it will be remembered, there is

no transfer of subjects but a marked enlargement of popular representation. The new constitution of the Indian Legislative Assembly, which will give to the non-official members a substantial majority, is bound to make its weight felt with the Government of India. The problem with which we are immediately concerned is to secure that the opinion of the Assembly should carry corresponding weight with the authorities in whom is vested the power of controlling the Government of India. It appears to us that the conception of the Reforms Scheme leads naturally to the acceptance of the principle, which we here state in general terms, that where the Government of India find themselves in agreement with a conclusion of the Legislative Assembly, their joint decision should ordinarily prevail. We set out below what we conceive to be the application of the principle to the main divisions of governmental functions.

14. First as regards legislation. At the outset, we think it desirable to secure that the authority of the Legislative Assembly will not be restricted by Government intervention through the Council of State save on the direct instructions of the Secretary of State . . . We note that the words employed in clause 20(4) of the Government of India Bill, regarding certification by the Governor-General in Council, are "the safety, tranquillity, or interests of British India or any part thereof", which appear to be of somewhat wider import than those in the Joint Report.

15. In normal cases, where legislation comes before the Secretary of State, it must already have received the assent of the Governor-General, and must have been passed by a majority of votes in the Council of State and in the Legislative Assembly. But inasmuch as there is a substantial official vote in the latter body and normally an official majority in the former, it follows that the measure has not necessarily the support of a majority of the non-official members in either chamber. In order, therefore, to give proper emphasis to the legislative authority of the Assembly, we recommend that whenever legislation has the support of a majority of the non-

official members of the Legislative Assembly, assent should be refused only in cases in which the Secretary of State feels that his responsibility to Parliament for the peace, order and good government of India, or paramount considerations of Imperial policy, require him to secure reconsideration of the matter at issue by the Legislative Assembly.

16. In examination of the Budget, and in criticism of general administration, the Legislative Assembly can express its views only by means of resolutions; and these will continue to be advisory in character, without legal sanction. The Government may accept a resolution either because they agree with it from the outset, or because they decide to defer to the opinion of the Assembly. Where for any reason reference to the Secretary of State is considered necessary, we recommend that a joint decision of the Government of India and a majority of the non-official members of the Assembly, reached by discussion of a resolution, should be given the same degree of authority as similar decisions on legislative proposals, and that the principle we have stated in paragraph 15 should be applied in these cases also.

17. We now revert to the question of delegation, considered as a supplementary aspect of the scheme of Reform. We are in full sympathy with the opinion expressed by the authors of the Joint Report, that previous sanction to decisions taken in India should be required in fewer cases than in the past, and that in some matters it will suffice in future if the Secretary of State asserts his control by means of a veto if necessary. Delegation of powers is so much a matter of technical detail that we consider our function to be confined to the duty of laying down guiding principles for its regulation. The basis of delegation that we recommend is as follows: that without prejudice to the further relaxation of control by the Secretary of State, the principle of previous consultation beween the Secretary of State and the Government of India should be substituted in all cases where the previous sanction of the Secretary of State in Council has hitherto been required; ut the Secretary of State should from time to time revise the

list of subjects on which he requires such previous consultation, and inform the Government of India accordingly. Our recommendations would apply to all projects, both legislative and financial, subject to the reservations that may be necessary for the proper discharge of the Secretary of State's Ministerial responsibilities. In regard to administrative questions, as distinct from those involving legislation or finance, the special need for delegation in the sense applied above does not arise. The administrative powers of the Government of India in this respect are not limited by any formal restrictions; but as a matter of constitutional practice, reference to the Home authorities is of course made on what are understood to be specially important administrative matters. It is clear that practice should be continued under the new system We think it unnecessary to say more on this head than that the degree of discretion allowed in matters of pure administration should be enhanced in general correspondence with the wider authority to be allowed in future in matters of legislation and finance. As regards the general principle we have suggested, we assume that consultation whould be real and effective in the sense that the Secretary of State would receive ample notice of the Government of India's proposals and that a full understanding between London and Delhi would be reached by a free interchange of views.

. . . in so far as provincial action comes under the cognisance of the Secretary of State, either directly or through the Government of India, he should regulate his intervention with regard to the principle which we have sought to apply to the working of the central Government, namely, that where the Government find themselves in agreement with a conclusion of the legislature, their joint decision should ordinarily be allowed to prevail.

GOVERNMENT OF INDIA ACT, 1919
(Extracts)

Preamble

Whereas it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions, with a view to the progressive realization of responsible government in British India as an integral part of the empire:

And whereas progress in giving effect to this policy can only be achieved by successive stages, and it is expedient that substantial steps in this direction should now be taken:

And whereas the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples:

And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility:

And whereas concurrently with the gradual development of self-governing institutions in the provinces of India it is expedient to give to those Provinces in provincial matters the largest measure of independence of the Government of India, which is compatible with the due discharge by the latter of its own responsibilities:

Be it therefore enacted . . . as follows:

PART I

LOCAL GOVERNMENTS

Classification of Central and Provincial Subjects

1. (1) Provision may be made by rules under the Government of India Act, 1915, as amended by the Government of

India (Amendment) Act, 1916 (which Act so amended is in this Act referred to as 'the Principal Act'):

(a) for the classification of subjects, in relation to the functions of government, as central and provincial subjects, for the purpose of distinguishing the functions of Local Governments and Local Legislatures from the functions of the Governor-General in Council and the Indian Legislature;

(b) for the devolution of authority in respect of provincial subjects to Local Governments, and for the allocation of revenues or other moneys to those Governments;

(c) for the use under the authority of the Governor-General in Council of the agency of Local Governments in relation to central subjects, in so far as such agency may be found convenient, and for determining the financial conditions of such agency; and

(d) for the transfer from among the provincial subjects of (in this Act referred to as 'transferred subjects') to the administration of the Governor acting with Ministers appointed under this Act, and for the allocation of revenues or moneys for the purpose of such administration.

(2) Without prejudice to the generality of the foregoing powers, rules made for the above-mentioned purposes may—

(i) regulate the extent and conditions of such devolution, allocation and transfer;

(ii) provide for fixing the contribution payable by Local Governments to the Governor-General in Council, and making such contributions a first charge on allocated revenues or moneys;

(iii) provide for constituting a finance department in any province, and regulating the functions of that department;

(iv) provide for regulating the exercise of the authority vested in the Local Government of a province over members of the public service therein;

(v) provide for the settlement of doubts arising as to whether any matter does or does not relate to a provincial subject or a transferred subject, and for the treatment of matters which affect both a transferred subject and a subject which is not transfeired; and

(vi) make such consequential and supplemental provisions as appear necessary or expedient;

Provided that, without prejudice to any general power of revoking or altering rules under the Principal Act, the rules shall not authorise the revocation or suspension of the transfer of any subject except with the sanction of the Secretary of State in Council.

(3) The powers of superintendence, direction and control over Local Governments vested in the Governor-General in Council under the Principal Act shall, in relation to transferred subjects, be exercised only for such purposes as may be specified in rules made under that Act, but the Governor-General in Council shall be the sole judge as to whether the purpose of the exercise of such powers in any particular case comes within the purposes so specified.

(4) The expressions 'central subjects' and 'provincial subjects' as used in this Act mean subjects so classified under the rules.

Provincial subjects, other than transferred subjects, are in this Act referred to as 'reserved subjects.'

Revised System of Local Government in certain Provinces

3. (1) The Presidencies of Fort William in Bengal, Fort St. Geoge, and Bombay, and the provinces known as the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, shall each be governed, in relation to reserved subjects, by a Governor in Council, and in relation to transferred subjects (save as otherwise provided by this Act) by

the Governor acting with Ministers appointed under this Act.

The said Presidencies and provinces are in this Act referred to as 'Governors' provinces' and two first-named presidencies are in this Act referred to as the presidencies of Bengal and Madras.

(2) The provisions of sections forty-six to fifty-one of the Principal Act, as amended by this Act, shall apply to the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, as they apply to the Presidencies of Bengal, Madras, and Bombay : Provided that the Governors of the said Provinces shall be appointed after consultation with the Governor-General.

Appointment of Ministers and Council Secretaries

(4). (1) The Governor of a Governor's province may, by notification, appoint Ministers, not being members of his Executive Council or other officials, to administer transferred subjects, and any Ministers so appointed shall hold office during his pleasure.

There may be paid to any Minister so appointed in any province the same salary as is payable to a member of the Executive Council in that province, unless a smaller salary is provided by vote of the Legislative Council of the province.

(2) No Minister shall hold office for a longer period than six months, unless he is or becomes an elected member of the local legislature.

(3) In relation to transferred subjects, the Governor shall be guided by the advice of his Ministers, unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice : Provided that rules may be made under the Principal Act for the temporary administration of a transferred subject where, in cases of emergency, owing to a vacancy, there is no Minister in charge of the subject, by such

authority and in such manner as may be prescribed by the rules.

Qualification of Members of Local Executive Councils

5. (1) The provision in section forty-seven of the Principal Act, that two of the members of the Executive Council of the Governor of a province must have been for at least twelve years in the service of the Crown in India, shall have effect as though 'one' were substituted for 'two', and the provision in that section that the Commander-in-Chief of His Majesty's Forces in India, if resident at Calcutta, Madras, or Bombay, shall, during his continuance there, be a member of the Governor's Council, shall cease to have effect.

(2) Provision may be made by rules under the Principal Act as to the qualifications to be required in respect of members of the Executive Council of the Governor of a province in any case where such provision is not made by section forty-seven of the Principal Act as amended by this section.

Business of Governor in Council and Governor with Ministers

6. (1) All orders and other proceedings of the Government of a Governor's province shall be expressed to be made by the Government of the province and shall be authenticated as the Governor may by rule direct, so, however, that provision shall be made by rule for distinguishing orders and other proceedings selating to transferred subjects from other orders and proceedings.

Orders and proceedings authenticated as aforesaid shall not be called into question in any legal proccedings on the ground that they were not duly made by the Government of the province.

(2) The Governor may make rules and orders for the more convenient transaction of business in his Executive Council and with his Ministers, and every order made or act done in

accordance with those rules and orders shall be treated as being the order or the act of the Government of the province.

The Governor may also make rules and orders for regulating the relations between the Executive Council and his Ministers for the purpose of the transaction of the business of the Local Government:

Provided that any rules and orders made for the purposes specified in this section which are repugnant to the provisions of any rules made under the Principal Act as amended by this Act shall, to the extent of that repugnancy, but not otherwise, be void.

Composition of Governor's Legislative Councils

7. (1) There shall be a Legislative Council in every Governor's province, which shall consist of the members of the Executive Council and of members nominated or elected as provided by this Act.

The Governor shall not be a member of the Legislative Council, but shall have the right of addressing the Council, and may for that purpose require the attendance of its members.

(2) The number of members of the Governors' Legislative Councils shall be in accordance with the table set out in the First Schedule to this Act; and of the members of each Council not more than twenty per cent shall be official members, and at least seventy per cent shall be elected members.

Provided that

(a) subject to the maintenance of the above proportions, rules under the Principal Act may provide for increasing the number of members of any Council, as specified in that Schedule; and

(b) the Governor may, for the purposes of any Bill introduced or proposed to be introduced in his Legislative Council, nominate, in the case of Assam one person, and in the case of other provinces not more than two persons, having special knowledge or experience of the subject-matter of the Bill, and those persons shall, in relation to the Bill, have for the period for which they are nominated all the rights of members of the Council, and shall be in addition to the members above referred to; and

(c) members nominated to the Legislative Council of the Central Provinces by the Governor as the result of elections held in the Assigned Districts of Berar shall be deemed to be elected members of the Legislative Council of the Central Provinces.

(3) The powers of a Governor's Legislative Council may be exercised notwithstanding any vacancy in the Council.

(4) Subject as aforesaid, provision may be made by rules under the Principal Act as to:

(a) the term of office of nominated members of Governors' Legislative Councils, and the manner of filling casual vacancies occurring by reason of absence of members from India, inability to attend to duty, death, acceptance of office, resignation duly accepted, or otherwise; and

(b) the conditions under which and manner in which persons may be nominated as members of Governors' Legislative Councils; and

(c) the qualification of electors, the constitution of constituencies, and the method of election for Governors' Legislative Councils, including the number of members to be elected by communal and other electorates, and any matters incidental and ancillary thereto; and

(d) the qualifications for being and for being nominated or elected a member of any such Council; and

(e) the final decision of doubts or disputes as to the validity of any election; and

(f) the manner in which the rules are to be carried into effect:

Provided that rules as to any such matters as aforesaid may provide for delegating to the Local Government such power as may be specified in the rules of making subsidiary regulations affecting the same matters.

(5) Subject to any such rules, any person who is a ruler or subject of any State in India may be nominated as a member of a Governor's Legislative Council.

Powers of Local Legislatures

(10) (1) The local Legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province.

(2) The local Legislature of any province may, subject to the provisions of the sub-section next following, repeal or alter as to that province any law made either before or after the commencement of this Act by any authority in British India other than that local Legislature.

(3) The local Legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(a) imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under the Principal Act; or

(b) affecting the public debt of India, or the customs duties, or any other tax or duty for the time being in force and imposed by the authority of the Governor-General in Council for the general purposes of the Government of India, provided that the imposition or alteration of a tax scheduled

as aforesaid shall not be deemed to affect any such tax or duty; or

(c) affecting the discipline or maintenance of any part of His Majesty's naval, military or air forces; or

(d) affecting the relations of the Government with foreign princes or States; or

(e) regulating any central subject; or

(f) regulating any provincial subject which has been declared by rules under the Principal Act to be, either in whole or in part, subject to legislation by the Indian Legislature, in respect of any matter to which such declaration applies; or

(g) affecting any power expressly reserved to the Governor-General in Council by any law for the time being in force; or

(h) altering or repealing the provisions of any law which, having been made before the commencement of this Act by any authority in British India other than that local Legislature, is declared by rules under the Principal Act to be a law which cannot be repealed or altered by the local Legislature without previous sanction; or

(i) altering or repealing any provision of an Act of the Indian Legislature made after the commencement of this Act, which by the provisions of that Act may not be repealed or altered by the local Legislature without previous sanction:

Provided that an Act or a provision of an Act made by a local Legislature, and subsequently assented to by the Governor-General in pursuance of this Act, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor-General under this Act.

(4) The local Legislature of any province has not power to make any law affecting any Act of Parliament.

Business and Procedure in Governors' Legislative Councils

11. (1) Sub-sections (1) and (3) of section eighty of the Principal Act (which relate to the classes of business which may be transacted at meetings of local Legislative Council) shall cease to apply to a Governor's Legislative Council, but the business and the procedure in any such Council shall be regulated in accordance with the provisions of this section.

(2) The estimated annual expenditure and revenue of the province shall be laid in the form of a statement before the Council in each year, and the proposals of the Local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the Council in the form of demands for grants. The Council may assent, or refuse its assent, to a demand, or may reduce the amount therein referred to either by a reduction of whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed.

Provided that—

(a) The Local Government shall have power, in relation to any such demand, to act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, if the demand relates to a reserved subject, and the Governor certifies that the expenditure provided for by the demand is essential to the discharge of his responsibility for the subject; and

(b) the Governor shall have power in cases of emergency to authorise such expenditure as may be in his opinion necessary for the safety or tranquillity of the province, or for the carrying on of any department; and

(c) no proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.

3. Nothing in the foregoing sub-section shall require pro-

posals to be submitted to the Council relating to the following heads of expenditure :

(i) contributions payable to the Local Government to the Governor-General in Council; and

(ii) interest and sinking fund changes on loans, and

(iii) expenditure of which the amount is prescribed by or under any law; and

(iv) salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council; and

(v) salaries of judges of the High Court of the province and of the Advocate-General.

If any question arises whether any proposed appropriation of moneys does or does not relate to the above heads of expenditure, the decision of the Governor shall be final.

4. Where any Bill has been introduced or is proposed to be introduced, or any amendment to a Bill is moved or proposed to be moved, the Governor may certify that the Bill or any clause of it or the amendment affects the safety or tranquillity of his province or any part of it or of another province, and may direct that no proceedings or no further proceding shall be taken by the Council in relation to the Bill, clause or amendment, and effect shall be given to any such direction.

Return and Reservation of Bills

12. (1) Where a Bill has been passed by a local Legislative Council, the Governor, Lieutenant-Governor, or Chief Commissioner may, instead of declaring that he assents to or withholds his assent from the Bill, return the Bill to the Council for re-consideration, either in whole or in part, together with any amendments which he may recommend, or, in cases prescribed by rules under the Principal Act may, and if the rules so require shall, reserve the Bill for the consideration of the Governor-General.

(3) The Governor-General may (except where the Bill has been reserved for his consideration), instead of assenting to or withholding his assent from any Act passed by a local Legislature, declare that he reserves the Act for the signification of His Majesty's pleasure thereon, and in such càse the Act shall not have validity until His Majesty in Council has signified his assent and his assent has been notified by the Governor-General.

Provision for case of failure to pass legislatian in Governors' Legislative Councils

13. (1) Where a Governor's Legislative Council has refused leave to introduce, or has failed to pass in a form recommended by the Governor, any Bill relating to a reserved subject, the Governor may certify that the passage of the Bill is essential for the discharge of his responsibility for the subject, and thereupon the Bill shall, notwithstanding that the Council have not consented thereto, be deemed to have passed, and shall, on signature by the Governor, become an Act of the local Legislature in the form of the Bill as originally introduced or proposed to be introduced in the Council or (as the case may be) in the form recommended to the Council by the Governor.

2. Every such Act shall be expressed to be made by the Governor, and the Governor shall forthwith send an authentic copy thereof to the Governor-General, who shall reserve the Act for the signification of His Majesty's pleasure, and upon the signification of such assent by His Majesty in Council, and the notification thereof by the Governor-General, the Act shall have the same force and effect as an Act passed by the local Legislature and duly assented to :

Provided that, where in the opinion of the Governor-General a state of emergency exists which justifies such action, he may, instead of reserving such Act, signify his assent thereto, and thereupon the Act shall have such force and effect as aforesaid, subject however to disallowanee by His Majesty in Council.

(3) An Act made under this section shall, as soon as practicable after being made, be laid before each House of Parliament, and an Act which is required to be presented for His Majesty's assent shall not be so presented until copies thereof have been laid before each House of Parliament for not less than eight days on which that House has sat.

Constitution of New Provinces, &.c., and Provision as to Backward Tracts

15. (1) The Governor-General in Council may, after obtaining an expression of opinion from the Local Government and the local Legislature affected, by notification, with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute a new Governor's province, or place part of a Governor's province under the administration of a Deputy-Governor to be appointed by the Governor-General, and may in any such case apply, with such modifications as appear necessary or desirable, all or any of the provisions of the Principal Act or this Act relating to Governors' provinces, or provinces under a Lieutenant-Governor or Chief Commissioner, to any such new province or part of a province.

(2) The Governor-General in Council may declare any territory in British India to be a 'backward tract', and may, by notification, with such sanction as aforesaid, direct that the Principal Act and this Act shall apply to that territory subject to such exceptions and modifications as may be prescribed in the notification. Where the Governor-General in Council has, by notification, directed as aforesaid, he may, by the same or subsequent notification, direct that any Act of the Indian Legislation shall not apply to the territory in question or any part thereof, or shall apply to the territory or any part thereof subject to such exceptions or modifications as the Governor-General thinks fit, or may authorise the Governor in Council to give similar directions as respects any Act of the local Legislature.

PART II

GOVERNMENT OF INDIA

Indian Legislature

17. Subject to the provisions of this Act, the Indian Legislature shall consist of the Governor-General and two chambers, namely, the Council of State and the Legislative Assembly.

Except as otherwise provided by or under this Act, a Bill shall not be deemed to have been passed by the Indian Legislature unless it has been agreed to by both chambers, either without amendment or with such amendments only as may be agreed to by both chambers.

Council of State

18. (1) The Council of State shall consist of not more than sixty members nominated or elected in accordance with rules made under the Principal Act, of whom not more than twenty shall be official members.

(2) The Governor-General shall have power to appoint from among the members of the Council of State, a President and other persons to preside in such circumstances as he may direct.

(3) The Governor-General shall have the right of addressing the Council of State, and may for that purpose require the attendance of its members.

Legislative Assembly

19. (1) The Legislative Assembly shall consist of members nominated or elected in accordance with rules made under the Principal Act.

(2) The total number of members of the Legislative Assembly shall be one hundred and forty. The number of non-elected members shall be forty, of whom twenty-six shall be official

members. The number of elected members shall be one hundred :

Provided that rules made under the Principal Act may provide for increasing the number of members of the Legislative Assembly as fixed by this section, and may vary the proportion which the classes of members bear one to another, so, however, that at least five-sevenths of the members of the Legislative Assembly shall be elected members, and at least one-third of the other members shall be non-official members.

The Governor-General shall have the right of addressing the Legislative Assembly, and may for that purpose require the attendance of its members.

Indian Budget

25. (1) The estimated annual expenditure and revenue of the Governor-General in Council shall be laid in the form of a statement before both chambers of the Indian Legislature in each year.

(2) No proposal for the appropriation of any revenue or moneys for any purpose shall be made except on the recommendation of the Governor-General.

(3) The proposals of the Governor-General in Council for the appropriation of revenue or moneys relating to the following heads of expenditure shall not be submitted to the vote of the Legislative Assembly, nor shall they be open to discussion by either chamber at the time when the annual statement is under consideration, unless the Governor-General otherwise directs—

(i) interest and sinking fund charges on loans; and

(ii) expenditure of which the amount is prescribed by or under any law; and

(iii) salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council; and

(iv) salaries of Chief Commissioners and Judicial Commissioners; and

(v) expenditure classified by the order of the Governor-General in Council as—

(a) ecclesiastical;

(b) political;

(c) defence.

(4) If any question arises whether any proposed appropriation of revenue or moneys does or does not relate to the above heads, the decision of the Governor-General on the question shall be final.

(5) The proposal of the Governor-General in Council for the appropriation of revenue or moneys relating to the heads of expenditure not specified in the above heads shall be submitted to the vote of the Legislative Assembly in the form of demands for grants.

(6) The Legislative Assembly may assent or refuse its assent to any demand or may reduce the amount referred to in any demand by a reduction of whole grant.

(7) The demands as voted by the Legislative Assembly shall be submitted to the Governor-General in Council, who shall, if he declares that he is satisfied that any demand which has been refused by the Legislative Assembly is essential to the discharge of his responsibilities, act as if it had been assented to, notwithstanding the withholding of such assent, or the reduction of the amount therein referred to, by the Legislative Assembly.

(8) Notwithstanding anything in this section, the Governor-General shall have power, in cases of emergency, to authorise such expenditure as may, in his opinion, be necessary for the safety or tranquillity of British India or any part thereof.

Provision for case of failure to pass legislation

26. (1) Where either chamber of the Indian Legislature

refuses leave to introduce, or fails to pass in a form recommended by the Governor-General, any Bill, the Governor-General may certify that the passage of the Bill is essential for the safety, tranquillity or interests of British India or any part thereof, and thereupon—

(a) If the Bill has already been passed by the other chamber, the Bill shall, on signature by the Governor-General, notwithstanding that it has not been consented to by both chambers, forthwith become an Act of the Indian Legislature in the form of the Bill as originally introduced or proposed to be introduced in the Indian Legislature, or (as the case may be) in the form recommended by the Governor-General; and

(b) If the Bill has not already been so passed, the Bill shall be laid before the other chamber, and, if consented to by that chamber in the form recommended by the Governor-General, shall become an Act, aforesaid on the signification of the Governor-General's assent, or, if not so consented to, shall, on signature by the Governor-General, become an Act as aforesaid.

(2) Every such Act shall be expressed to be made by the Governor-General, and shall, as soon as practicable after being made, be laid before both Houses of Parliament, and shall not have effect until it has received His Majesty's assent, and shall not be presented for His Majesty's assent until copies thereof have been laid before each House of Parliament for not less than eight days on which that House has sat; and upon the signification of such assent by His Majesty in Council, and the notification thereof by the Governor-General, the Act shall have the same force and effect as an Act passed by the Indian Legislature and duly assented to :

Provided that, where in the opinion of the Governor-General a state of emergency exists which justifies such action, the Governor-General may direct that any such Act shall come into operation forthwith, and thereupon the Act shall have such force and effect as aforesaid, subject, however, to disallowance by His Majesty in Council.

Supplemental Provisions as to Powers of Indian Legislature

27. (1) In addition to the measures referred to in subsection (2) of section sixty-seven of the Principal Act, as requiring previous sanction of the Governor-General, it shall not be lawful without such previous sanction to introduce at any meeting of either chamber of the Indian Legislature and measure—

(a) regulating any provincial subject, or any part of a provincial subject, which has not been declared by rules under the Principal Act to be subject to legislation by the Indian Legislature; or

(b) repealing or amending any Act of a local Legislature; or

(c) repealing or amending any Act or ordinance made by the Governor-General.

(2) Where in either chamber of the Indian Legislature any Bill has been introduced, or is proposed to be introduced, or anv amendment to a Bill is moved, or proposed to be moved, the Governor-General may certify that the Bill, or any clause of it, or the amendment, affects the safety or tranquillity of British India, or any part thereof, and may direct that no proceedings, or that no further proceedings, shall be taken by the chamber in relation to the Bill, clause, or amendment and affect shall be given to such direction.

Composition of Governor-General's Executive Council

28. (1) The provision in section thirty-six of the Principal Act, imposing a limit on the number of members of the Governor-General's Executive Council, shall cease to have effect.

(2) The provision in section thirty-six of the Principal Act as to the qualification of members of the Council shall have affect as though the words 'at the time of their appointment' were omitted, and as though after the word 'Scotland' there

were inserted the words 'or a pleader of the High Court' and as though 'ten years' were substituted for 'five years'.

PART III

SECRETARY OF STATE-IN-COUNCIL

Relaxation of Control of Secretary of State

33. The Secretary of State in Council may, notwithstanding anything in the Principal Act, by rule regulate and restrict the exercise of the powers of superintendence, direction, and control, vested in the Secretary of State and the Secretary of State in Council, by the Principal Act, or otherwise, in such manner as may appear necessary or expedient in order to give effect to the purposes of this Act.

Before any rules are made under this section relating to subejcts other than transferred subjects, the rules proposed to be made shall be laid in draft before both Houses of Parliament, and such rules shall not be made unless both Houses by resolution approve the draft either without modification or addition, or with modifications or additions to which both Houses agree, but upon such approval being given the Secretary of State in Council may make such rules in the form in which they have been approved, and such rules on being so made shall be of full force and effect.

Any rules relating to transferred subjects made under this section shall be laid befor both Houses of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them, and those rules shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

PART IV

THE CIVIL SERVICES IN INDIA

The Civil Services in India

36. (1) Subject to the provisions of the Principal Act and of rules made thereunder, every person in the civil service of the Crown in India holds office during His Majesty's pleasure, and may be employed in any manner required by a proper authority within the scope of his duty, but no person in that service may be dismissed by any authority subordinate to that by which he was appointed, and the Secretary of State in Council may (except so far as he may provide by rules to the contrary) reinstate any person in that service who has been dismissed.

If any such person appointed by the Secretary of State in Council thinks himself wronged by an order of an official superior in a Governor's province, and on due application made to that superior does not receive the redress to which he may consider himself entitled, he may, without prejudice to any other right of redress, complain to the Governor of the province in order to obtain justice, and the Governor is hereby directed to examine such complaint and require such action to be taken thereon as may appear to him to be just and equitable.

(2) The Secretary of State in Council may make rules for regulating the classification of the civil services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct. Such rules may, to such extent and in respect of such matters as may be prescribed, delegate the power of making rules to the Governor-General in Council or to Local Governments, or authorize the Indian Legislature or local Legislatures to make laws regulating the public services :

Provided that every person appointed before the commencement of this Act by the Secretary of State in Council to the civil service of the Crown in India shall retain all his existing

or accruing rights, or shall receive such compensation for the loss of any of them as the Secretary of State in Council may consider just and equitable.

(3) The right to pensions and the scales and conditions of pensions of all persons in the civil service of the Crown in India appointed by the Secretary of State in Council shall be regulated in accordance with the rules in force at the time of the passing of this Act. Any such rules may be varied or added to by the Secretary of State in Council and shall have effect as so varied or added to, but any variation or addition shall not adversely affect the pension of any member of the service appointed before the date thereof.

Nothing in this section or in any rule thereunder shall prejudice the rights to which any person may, or may have, become entitled under the provisions in relation to pension contained in the East India Annuity Funds Act, 1874.

(4) For the removal of doubts, it is hereby declared that all rules or other provisions in operation at the time of the passing of this Act, whether made by the Secretary of State in Council or by any other authority, relating to the civil service of the Crown in India, were duly made in accordance with the powers in that behalf, and are confirmed, but any such rules or provisions may be revoked, varied or added to by rules or laws made under this section.

PART V

STATUTORY COMMISSION

41. (1) At the expiration of ten years after the passing of this Act the Secretary of State, with the concurrence of both Houses of Parliament, shall submit for the approval of His Majesty the names of persons to act as a commission for the purposes of this section.

(2) The persons whose names are so submitted, if approved by His Majesty, shall be a commission for the purpose of

inquiring into the working of the system of government, the growth of education, and the development of representative institutions in British India, and matters connected therewith, and the commission shall report as to whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, or restrict the degree of responsible government then existing therein, including the question whether the establishment of second chambers of the local Legislatures is or is not desirable.

(3) The commission shall also inquire into and report on any other matter affecting British India and the provinces, which may be referred to the commission by His Majesty.

DEVOLUTION RULES*

(framed under the Act of 1919)

"141. What the Reforms effected in delimiting a provincial field (as in much else) cannot be discovered by reading the Act of 1919 alone. Devolution to the provinces was carried out by rules made under the Act and approved by both Houses of Parliament. These rules are known as the Devolution Rules.......it is far more important....... to appreciate the effect of these statutory rules than to search for a picture of the present constitution in the Aet itself.........the provincial devolution thus effected, whether in the legislative, the administrative, or the financial sphere, takes place only with reference to the nine major provinces, called in the Act the "Governor Provinces". The rest of British India, so far as the devolution of authority from the centre is concerned, remains essentially in the same position as before the passing of the Act of 1919......Here we are concerned only with the nine provinces of Madras, Bombay, Bengal, and United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, Assam and Burma. In the case of each of these, the demarcation between the central and the provincial field is identical; in the subdivision of provincial subjects between "reserved" and trans-

*Extracts from the Simon Commission Report, 1930.

ferred"......, there are a few variations between province and province.

142. In respect of these nine provinces, the method followed is to classify subjects, for the purpose of distinguishing the functions of provincial Governments and Legislatures from the functions of the Central Government and Legislature, by dividing them into "Central Subjects" and "Provincial Subjects". We reproduce......the Schedule to Rule 3 of the Devolution Rules, which contains the distribution. In all such distributions the question arises as to the side of the line on which subjects which happen to be omitted are to fall; in the case of India, the answer is given by the last item in the list of central subjects. Any matter not included among provincial subjects is central; the undistributed residue thus follows the Canadian, and not the Australian, model. If any doubt arises as to whether a particular matter does or does not relate to a provincial subject, the Governor-General in Council finally decides the question; there is no room for appeal to the law courts in such a case. The principle of discrimination between central and provincial subjects is that, where extra-provincial interests predominate, the subject is treated as central, while on the other hand all subjects in which the interests of a particular province essentially predominate are provincial......

143 The subjects earmarked as provincial may be regarded as so classified both for purposes of administration and for purposes of legislation. But, although topics are thus distributed, the Central Legislature remains theoretically entitled to legislate over the whole field and no challenge can arise as to whether a given piece of legislation has been carried out by the right legislature. For, by Section 84(2) of the Government of India Act "the validity of any Act of the Indian legislature or any local legislature shall not be open to question in any legal proceedings on the ground that the Act affects a provincial subject, or a central subject, as the case may be." There are a number of subjects about which a provincial Council may not legislate without the previous sanction of the Governor-General [Section 80A(3)], but here again the way is blocked to prevent

any Court or Judge deciding that the provincial law is invalid because the previous sanction of the Governor-General has not been obtained—for his subsequent assent (which is in any case necessary to make a provincial Act valid) cures the defect. Conversely, the previous sanction of the Governor-General is required before the Central Legislature can trench upon the field which is *prima facie* provincial [Section 67(2) (i) and (ii)]. Thus the Indian constitution has adopted an ingenious method of securing in practice a distribution of topics between the Central Legislature and provincial legislatures while avoiding the danger of technical objections being raised and litigation promoted on the plea that the wrong legislature has passed the Act and that, therefore, it is a nullity.

144. Besides marking out for the provinces a legislative and administrative sphere, the reformed constitution effected a delimitation of sources of revenue for purposes of provincial finance. It was a prime object to do so. "Our first aim", ran the Report, "has been to find some means of entirely separating the resources of the central and provincial Governments". Again, this purpose is carried out by Rules, which allocate certain classes of revenue, such as land revenue and excise on alcoholic liquor, to provincial Governments, while customs and income tax, for example, remain sources of central revenue......

PART I

CENTRAL SUBJECTS

1. (a) Defence of India, and all matters connected with His Majesty's Naval, Military, and Air Forces in India, or with His Majesty's Indian Marine Service or with any other force raised in India, other than military and armed police wholly maintained by Local Governments.

(b) Naval and military works and cantonments.

2. External relations, including naturalisation and aliens, and pilgrimages beyond India.

3. Relations with States in India.[1]

4. Political charges.

5. Communications to the extent described under the following heads, namely :—

(a) Railways and extra-municipal tramways, in so far as they are not classified as provincial subjects under entry 6(d) of Part II of this Schedule;

(b) aircraft and all matters connected therewith; and

(c) inland waterways, to an extent to be declared by rule made by the Governor-General in Council or by or under legislation by the Indian Legislature.

6. Shipping and navigation, including shipping and navigation on inland waterways in so far as declared to be a central subjects in accordance with entry 5(c).

7. Lighthouses (including their approaches) beacons, lightships, and buoys.

8. Port quarantine and marine hospitals.

9. Ports declared to be major ports by rule made by the Governor-General in Council or by or under legislation by the Indian Legislature.

10. Posts, telegraphs and telephones, including wireless installations.[2]

11. Customs, cotton excise duties, income tax, and other sources of all-India revenues.

12. Currency and coinage.

13. Public debt of India.

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1. These words were added in 1932 : "and all matters relating to tribal or other territory outside British India, but included in India".

2. Broadcasting was added to it in 1935.

14. Savings Banks.

15. The Indian Audit Department *and excluded Audit Departments*[3] as defined in the rules framed under section 96D (1) of the Act.

16. Civil law, including laws regarding status, property, civil rights and liabilities, and civil procedure.

17. Commerce, including Banking and Insurance.

18. Trading companies and other associations.

19. Control of production, supply and distribution of any articles in respect of which control by a central authority is declared by rule made by the Governor-General in Council or by or under legislation by the Indian Legislature to be essential in the public interest.[4]

20. Development of industries, in cases where such development by central authority is declared by order of the Governor-General in Council, made after consultation with the local Gevernment or local Governments concerned, expedient in the public interest.

21. Control of cultivation and manufacture of opium, and sale of opium for export.

22. Stores and stationery, both imported and indigeneous, required for Imperial Departments.

23. Control of petroleum and explosives

24. Geological survey.

25. Control of mineral development, in so far as such control is reserved to the Governor-General in Council under

3. The italicised words were omitted in 1926.

4. The following words were added in 1926 : "save to the extent to which in such rule or legislation such control is directed to be exercised by a local Government".

rules made or sanctioned by the Secretary of State, and regulation of mines.

26. Botanical Survey.

27. Inventions and designs.

28. Copyright.

29. Emigration from, and immigration into, British India, and inter-provincial migration.

30. Criminal Law, including criminal procedure.

31. Central police organisation.

32. Control of arms and ammunion.

33. Central agencies and institutions for research (including observatories), and for professional or technical training or promotion of special studies.

34. Ecclesiastical administration, including European cemeteries.

35. Survey of India.

36. Archaeology.

37. Zoological survey.

38. Meteorology.

39. Census and statistics.

40. All-India services.

41. Legislation in regard to any provincial subject, in so far as such subject is in Part II of this Schedule stated to be subject to legislation by the Indian Legislature, and any powers relating to such subject reserved by legislation to the Governor-General in Council.

42. Territorial changes, other than intra-provincial, and declaration of laws in connection therewith.

43. Regulation of ceremonial titles, orders, procedure, and civil uniform.

44. Immovable property *acquired by, and maintained at the cost of*,[5] the Governor-General in Council.

45. The Public Service Commission.

46. All matters expressly excepted by the provisions of Part II of this Schedule, from inclusion among Provincial subjects.

47. All other matters not included among Provincial subjects under Part II of this Schedule.

PART II

PROVINCIAL SUBJECTS*

1. Local self-government, that is to say, matters relating to the constitution and powers of municipal corporations, improvement trusts, district boards, mining boards of health, and other local authorities established in a Province for the purpose of local self-government, exclusive of matters arising under the Cantonments Act, 1910; subject to legislation by the Indian Legislature as regards :—

(a) the powers of such authorities to borrow otherwise than from a Provincial Government, and

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5. For the italicised words the following words were substituted in 1926 : "in the possession of".

*Items numbered as 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 16, 21, 22, 23, 25, 27, 28, 29, 33 (a), (b), (c), (f). 40, and 42 were 'transferred' subjects, the rest were 'reserved' subjects. The Governor was empowered to appoint Executive Councillors for the administration of 'reserved' subjects. He could appoint Ministers for the administration of 'transferred' subjects. If there were no Ministers, the Governor could give the charge of 'trnasferred' departments to the Executive Councillors.

(b) the levying by such authorities of taxation not included in Schedule II to the Scheduled Taxes Rules.

2. Medical administration, including hospitals, dispensaries and asylums, and provision for medical education.[6]

3. Public health and sanitation and vital statistics; subject to legislation by the Indian Legislature in respect to infectious and contagious diseases to such extent as may be declared by any Act of the Indian Legislature.

4. Pilgrimages within British India.

5. Educations;[7] provided that—

(a) the following subjects shall be excluded, namely :—

(i) the Benares Hindu University, and such other Universities[8] constituted after the commencement of these rules as may be declared by the Governor-General in Council to be central subjects; and

(ii) Chiefs' colleges and any institutions maintained by the Governor-General in Council for the benefit of members of His Majesty's Forces or of other public servants or of the children of such members or servants; and

(b) the following subjects shall be subject to legislation by the Indian Legislature, namely :—

the definition of the jurisdiction of any Universities outside the province in which it is situated.[9]

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6. The following words were added in 1932 : "but excluding medical establishments entertained in the North-West Province in connection with the Frontier watch and ward".

7. European and Anglo-Indian Education was a transferred subject in Burma.

8. The name of Aligarh Muslim University was added in 1 22.

9. Originally there were two other subjects under this item, which were omitted in 1926 :

"the control of the establishment and the regulation of the consti-

6. Public works[10], *other than those falling under entry 14 of this Part*[11] *and* included under the following heads, namely :—

(a) Construction and maintenance of provincial buildings used or intended for any purpose in connection with the administration of the Province; and care of historical monuments, with the exception of ancient monuments as defined in Section 2(1) of the Ancient Monument Preservation Act, 1904, which are for the time being declared to be protected monuments under Section 3(1) of that Act; provided that the Governor-General in Council may, by notification in the *Gazette of India*, remove any such monument from the operation of this exception, *either absolutely or subject to such conditions as he may, after consultation with the Local Government or Local Governments concerned, prescribe*;[12]

(b) roads, bridges, ferries, tunnels, ropeways, causeways, and other means of communication, subject to the provision of rule 12A of these Rules, and of any orders made thereunder;[13]

(c) tramways within municipal areas; and

(d) light and feeder railways and extra-municipal tramways, in so far as provision for their construction and management is made by provincial legislation; subject to legislation by the Indian Legislature in the case of any such railway or tramway which is in physical connection with the main line or is built on the same gauge as an adjacent main line.

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tutions and functions of Universities constituted after the commencement of these rules" ;

"for a period of five years from the commencement of these rules, the Calcutta University, and the control and organisation of secondary education in the Presidency of Bengal".

10. It was a 'transferred' subject in all Provinces except Assam, with the exception that the construction and maintenance of residences of Governors were 'reserved' subjects in all Provinces.

11. The italicised words were added in 1922.

12. The italicised words were added in 1925.

13. This item was included in 1925.

7. Water supplies, irrigation and canals, drainage and embankments, water storage and water power; subject to legislation by the Indian Legislature with regard to matters of inter-provincial concern of affecting the relations of a province with any other territory.

8. Land revenue administration as described under the following heads, namely :—

(a) assessment and collection of land revenue;

(b) maintenance of land records, survey for revenue purposes, records-of-rights;

(c) laws regarding land tenures, relations of landlords and tenants, collection of rents;

(d) Courts of Wards, encumbered and attached estates;

(e) land improvements and agriculture loans;

(f) colonization and disposal (*subject to any provisions or restrictions that may be prescribed by the Secretary of State in Council under Section 30 of the Act*)[14] of Crown lands and alienation of land revenue; and

(g) management of Government estates.

9. Famine relief.

10. Agriculture, including research institutes, experimental and demonstration farms, introduction of improved methods, provision for agricultural education, protection against destructive insects and pests, and prevention of plant diseases; subject to legislation by the Indian Legislature in respect to destructive insects and pests and plant diseases to such extent as may be declared by any Act of the Indian Legislature.

11. Civil Veterinary Department, including provision for veterinary training, improvement of stock, and prevention of animal diseases; subject to legislation by the Indian Legislature

14. The italicised words were added in 1926.

in respect to animal diseases to such extent as may be declared by any Act of the Indian Legislature.

12. Fisheries.

13. Co-operative Societies.

14. Forests,[15] including preservation of game therein *and all buildings and works executed by the Forest Department*;[16] subject to legislation by the Indian Legislature as regards disforestation of reserved forests.

15. Land acquisition; subject to legislation by the Indian Legislature.

16. Excise; that is to say, the control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or relation to such articles, but excluding, in the case of opium, control of cultivation manufacture and sale for export.

17. Administration of justice, including constitution, powers, maintenance, and organisation of courts of civil and criminal jurisdiction within the Province; subject to legislation by the Indian Legislature as regards High Courts, Chief Courts, and Courts of Judicial Commissioners, and any courts of criminal jurisdiction.

18. Provincial law reports.

19. Administrators-General and Official Trustees; sub ect to legislation by the Indian Legislature.

20. Non-judicial stamps, subject to legislation by the Indian Legislature, and judicial stamps, subject to legislation by the Indian Legislature, as regards amount of court fees levied in relation to suits and proceedings in the High Courts under their original jurisdiction.

15. It was a 'transferred' subject in the provinces of Bombay and Burma.

16. The italicised words were added in 1922.

21. Registration of deeds and documents; subject to legislation by the Indian Legislature.

22. Registration of births, deaths and marriages; subject to legislation by the Indian Legislature for such classes as the Indian Legislature may determine.

23. Religious and charitable endowments.

24. Development of mineral resources which are Government property, subject to rules made or sanctioned by the Secretary of State, but not including the regulation of mines.

24A. Control of production, supply and distribution of any articles to the extent to which by rule made by the Governor-General in Council or by or under legislation by the Indian Legislature such control is directed to be exercised by a Local Government.[17]

25. Development of industries, including industrial research and technical education.

26. Industrial matters included under the following heads, namely :—

(a) factories;

(b) settlement of labour disputes;

(c) electricity;

(d) boilers;

(e) gas;

(f) smoke nuisance; and

(g) welfare of labour, including provident funds, industrial insurance (general, health and accident), and housing; subject as to heads (a), (b), (c), (d) and (g) to legislation by the Indian Legislature.

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17. It was added in 1926.

27. Stores and stationery, subject, in the case of imported stores and stationery,[18] to such rules as may be prescribed by the Secretary of State in Council.

28. Adulteration of foodstuffs and other articles; subject to legislation by the Indian Legislature as regards import and export trade.

29. Weights and measures; subject to legislation by the Indian Legislature as regards standards.

30. Ports, except such ports as may be declared by rules made by the Governor-General in Council or by or under Indian Legislation to be major ports.

31. Inland waterways, including shipping and navigation thereon so far not declared by the Governor-General in Council to be Central subjects, but subject as regards inland steam vessels to legislation by the Indian Legislature.

32. Police, including railway police; subject in case of railway police, to such conditions as regards limits of jurisdiction and railway contributions to cost of maintenance as the Governor-General in Council may determine.

33. The following miscellaneous matters, namely[19] :—

(a) regulation of betting and gambling;

(b) prevention of cruelty to animals;

(c) protection of wild birds and animals ;

(d) control of poisons, subject to legislation by the Indian Legislature;

(e) control of vehicles, subject, in the case of motor vehicles, to legislation by the Indian Legislature as regards licences valid throughout British India[20] ; and

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18. Stores and stationery required for transferred departments were 'transferred' subjects.

19. Sub-items (a) and (b) were 'transferred' subjects in Burma.

20. It was substituted for the original clause (e) in 1924.

(f) control of dramatic performances and cinematographs, subject to legislation by the Indian Legislature in regard to sanction of films for exhibition.[21]

34. Control of newspapers, books and printing presses; subject to legislation by the Indian Legislature.

35. Coroners.

36. Excluded areas.

37. Criminal tribes; subject to legislation by the Indian Legislature.

38. European vagrancy; subject to legislation by the Indian Legislature.

39. Prisons, prisoners (except persons detained under the Bengal State Prisoners Regulation, 1818, the Madras State Prisoners Regulation, 1819, or the Bombay Regulation, XXV of 1827) and reformatories; subject to legislation by the Indian Legislature.[22]

40. Pounds and prevention of cattle trespass.

41. Treasure trove.

42. Libraries (except the Imperial Library) and museums (except the Indian Museum, the Imperial War Museum, the Victoria Memorial, Calcutta) and Zoological Gardens.

43. Provincial Government Presses.

44. Elections for Indian and Provincial Legislatures; subject to rules framed under Sections 64(1) and 72A(4) of the Act.

45. Regulation of medical and other professional qualifications and standards; subject to legislation by the Indian Legislature.

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21. It was a transferred subject in Burma.
22. It was substituted in 1925.

46. Local Fund Audit, that is to say, the audit by Government Agency of income and expenditure controlled by local bodies.

47. Control, as defined by Rule 10, of members of all-India and provincial services serving within the province; and control, subject to legislation by the Indian Legislature, of public services within the province other than all-India services.[23]

48. Sources of provincial revenue, not included under previous heads, whether

(a) taxes included in the Schedules to the Scheduled Taxes Rules; or

(b) taxes not included in those Schedules, which are imposed by or under provincial legislation which has received the previous sanction of the Governor-General.

49. Borrowing of money on the sole credit of the province; subject to the provisions of the Local Government (Borrowing) Rules.

50. Imposition by legislation of punishment by fines, penalty, or imprisonment for enforcing any law of the province relating to any provincial subject; subject to legislation by the

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23 Rule 10 provided : "The authority vested in the Local Government over officers of the Public Services employed in a Governor's Province shall be exercised in the case of officers serving in a department dealing with Reserved Subjects by the Governor in Council, and in the case of officers serving in a department dealing with transferred subjects by the Governor acting with the Minister in charge of the department ; provided that—

(a) no order affecting emoluments or pensions, no order of formal censure, and no order on a memorial shall be passed to the disadvantage of an officer of an all-India or Provincial Services without the personal concurrence of the Governo ; and

(b) no order for the posting of an officer of an all-India Service shall be made without the personal concurrence of the Governor".

Indian Legislature in the case of any subject in respect of which such a limitation is imposed under these rules.

51. Any matter which, though falling within a central subject, is declared by the Governor-General in Council to be of a merely local or private nature within the province.

INSTRUMENT OF INSTRUCTRIONS TO THE GOVERNOR-GENERAL, 1921 (EXTRACTS)

VI. And inasmuch as the policy of Our Parliament is set forth in the Preamble to the said Government of India Act, 1919, We do hereby require Our said Governor-General to be vigilant that this policy is constantly furthered alike by his Government and by the Local Governments of all Our Presidencies and Provinces.

VII. In particular it is Our will and pleasure that the powers of superintendence, direction and control over the said Local Governments, vested in Our said Governor-General and in Our Governor-General in Council shall, unless grave reason to the contrary appears, be exercised with a view to furthering the policy of the Local Governments of all Our Governors' Provinces, when such policy finds favour with a majority of the Members of the Legislative Council of the Province.

VIII. Similarly it is Our will and pleasure that Our said Governor-General shall use all endeavours consistent with the fulfilment of his responsibilities to Us and to Our Parliament for the welfare of Our Indian subjects, that the administration of the matters committed to the direct charge of Our Governor-General in Council may be conducted in harmony with the wishes of Our said subjects as expressed by their representatives in the Indian Legislature, so far as the same shall appear to him to be just and reasonable.

IX. For above all things, it is Our will and pleasure that the plans laid by Our Parliament for the progressive realisation of responsible government in British India as an integral part of our Empire may come to fruition, to the end that British India may attain its due place among Our Dominions. There-

fore, We do charge Our said Governor-General by the means aforesaid and by all other means which may to him seem fit to guide the course of Our subjects in India whose governance We have committed to his charge so that, subject on the one hand always to the determination of Our Parliament, and, on the other hand, to the co-operation of those on whom new opportunities of service have been conferred, progress towards such realisation may ever advance to the benefit of all Our subjects in India.

INSTRUMENT OF INSTRUCTIONS TO THE GOVERNORS, 1921

Whereas by the Government of India Act, provision has been made for the gradual development of self-governing institutions in British India with a view to the progressive realization of Responsible Government in that country as an integral part of Our Empire;

And whereas it is Our will and pleasure that, in the execution of the Office of Governor in and over the Presidency of Fort William in Bengal, you shall further the purposes of the said Act, to the end that the institutions and methods of government therein provided shall be laid upon the best and surest foundations, that the people of the said Presidency shall acquire such habits of political action and respect such conventions as will best and soonest fit them for self-government, and that Our authority and the authority of Our Governor-General in Council shall be duly maintained;

Now, therefore, We do hereby direct and enjoin you and declare Our will and pleasure to be as follows :

I. You shall do all that lies in your power to maintain standards of good administration; to encourage religious toleration, co-operation and goodwill among all classes and creeds; to ensure the probity of public finance and the solvency of the Presidency; and to promote all measures making for the moral, social, and industrial welfare of the people, and tending to fit all classes of the population without distinction to

take their due share in the public life and government of the country.

II. You shall bear in mind that it is necessary and expedient that those now and hereafter to be enfranchised shall appreciate the duties, responsibilities and advantages which spring from the privilege of enfranchisement; that is to say, that those who exercise the power henceforward entrusted to them of returning representatives to the Legislative Council, being enabled to perceive the effects of their choice of a representative, and that those who are returned to the Council, being enabled to perceive the effects of their votes therein, shall come to look for the redress of their grievances and the improvement of their condition to the working of representative institutions.

III. Inasmuch as certain matters have been reserved for the administration according to law of the Governor in Council, in respect of which the authority of Our Governor-General in Council shall remain unimpaired, while certain other matters have been transferred to the administration of the Governor acting with a Minister, it will be for you so to regulate the business of the government of the Presidency that, so far as may be possible, the responsibility for each of these respective classes of matters may be kept clear and distinct.

IV. Nevertheless, you shall encourage the habit of joint deliberation between yourself, your Councillors and your Ministers, in order that the experience of your official advisers may be at the disposal of your Ministers, and that the knowledge of your Ministers as to the wishes of the people may be at the disposal of your Councillors.

V. You shall assist Ministers by all the means in your power in the administration of the Transferred subjects, and advise them in regard to their relations with the Legislative Council.

VI. In considering a Minister's advice and deciding whether or not there is sufficient cause in any case to dissent from his opinion, you shall have due regard to his relations with the

Legislative Council and to the wishes of the people of the Presidency as expressed by their representatives therein.

VII. But in addition to the general responsibilities with which you are, whether by Statute or under this Instrument, charged, We do further hereby specially require and charge you :

(1) to see that whatsoever measures are, in your opinion, necessary for maintaining safety and tranquillity in all parts of your Presidency and for preventing occasions of religious or racial conflict, are duly taken, and that all orders issued by Our Secretary of State or by Our Governor-General in Council on Our behalf to whatever matters relating are duly complied with;

(2) to take care that due provision shall be made for the advancement and social welfare of those classes amongst the people committed to your charge, who, whether on account of the smallness of their number or their lack of educational or material advantages or from any other cause, specially rely upon Our protection, and cannot as yet fully rely for their welfare upon joint political action, and that such classes shall not suffer, or have cause to fear, neglect or oppression;

(3) to see that no order of your Government and no Act of your Legislative Council shall be so framed that any of the diverse interests of or arising from race, religion, education, social condition, wealth or any other circumstance, may receive unfair advantage, or may unfairly be deprived of privileges or advantages which they have heretofore enjoyed, or be excluded from the enjoyment of benefits which may hereafter be conferred on the people at large.

(4) to safeguard all members of Our services employed in the said Presidency in the legitimate exercise of their functions, and in the enjoyment of all recognized rights and privileges, and to see that your Government order all things justly and reasonably in their regard, and that due obedience is paid to

all just and reasonable orders and diligence shown in their execution ;

(5) to take care that, while the people inhabiting the said Presidency shall enjoy all facilities for the development of commercial and industrial undertakings, no monopoly or special privilege which is against the common interest shall be established, and no unfair discrimination shall be made in matters affecting commercial or industrial interests.

VIII. And We do hereby charge you to communicate these Our Instructions to the Members of your Executive Council and your Ministers and to publish the same in your Presidency in such manner as you may think fit.

DIFFERENCES BETWEEN MONT-FORD REPORT AND GOVERNMENT OF INDIA ACT, 1919 (EXTRACTS)*

140. It is important to bear in mind that the recommendations of the Montagu-Chelmsford Report were not in all respects adopted and carried out by the sections of the Government of India Act, 1919. The Bill, as introduced, represented the result of discussions which had taken place between the Government of India, the Provincial Governments, and the Imperial Government. In the course of its passage through Parliament it was amended in some material respects in accordance with the recommendations of the Joint Select Committee of both Houses of Parliament to which it was referred, of which Committee Mr. Montagu was an influential member. For example, the Report devised a plan by which the Government of India could secure the passage of legislative measures which it regarded as essential, notwithstanding the opposition of the majority of the Legislative Assembly, by carrying its Bill through an Upper House in which there was an official majority. The Viceroy's assent to a measure so carried through the Upper House nullified the effect of its rejec-

*From Simon Commission Report, 1930.

tion by the Lower House...The Lower House would have enjoyed increased "opportunities of influencing Government," but the authority of the Government of India "in essential matters" nevertheless would remain "indisputable." It was manifestly an important alteration for the Joint Select Committee to modify the scheme, as it did; by making the assent of the Legislative Assembly essential to the passage of all legislation, subject to the power of the Governor-General in case of emergency to place a new law upon the Statute Book, by mere certification, with or without the assent of Council of State, and without any concurrence from the other branch of Legislature. The Act of 1919 contained other departures from the scheme of the Report. We will give two further examples. In the realm of provincial government, Mr. Montagu and Lord Chelmsford had proposed that if the Provincial Government found it impossible to carry through the unicameral provincial council legislation of a certain character which the Governor deemed essential, the Bill might be referred to a Grand Committee constituted for the purpose, composed in part of members selected by the provincial council, but with a nominated majority. The view of this Grand Committee would ultimately prevail, even though the provincial legislature remained obdurate. All this was rejected by the Joint Select Committee on the ground that it was better, in cases where the ultimate responsibility rested with the Governor and his Executive Council, for the overriding of the legislature to take place, without disguise, by the direct method of certification. It will be observed that this change made by the Joint Select Committee in the provincial sphere is analogous to the departure from the scheme of the Joint Report, described in the central sphere.

A second illustration, which is of great importance to show how widely the Government of India Act departed in some respects from the recommendations of the Joint Report, is concerned with the budget. Mr. Montagu and Lord Chelmsford laid it down that "the budget will be introduced in the Legislative Assembly, but the Assembly will not vote it. Resolutions upon budget matters and upon all other questions, whether moved in the Assembly or in the Council of State,

will continue to be advisory in character."

The Government of India Bill was introduced into Parliament with a clause drafted to correspond with this recommendation, but the Joint Select Committee altered this, and in its Report to the two Houses of Parliament pointed attention to the insertion of "a new provision for the submission of the Indian Budget to the vote of the Legislative Assembly." These matters may now be regarded as of little more than historic interest, but we think that it is not without importance to bear in mind that the Act of 1919 did not in these, and some other respects follow the plan of the Joint Report. Mr. Montagu, as we have already said, was a member of the Joint Select Committee, and, as far as we know, concurred in the changes.

But in most respects the scheme of the Montagu-Chelmsford Report was translated into law......

PROCLAMATION OF KING GEORGE V

(December, 1919)

George V, by the grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India. To my Viceroy and Governor-General, to the Princes of Indian States, and to all my subjects in India, of whatsoever race or creed, greeting.

1. Another epoch has been reached to-day in the annals of India. I have given my Royal Assent to an Act which will take its place among the great historic measures passed by the Parliament of this Realm for the better government of India and for the greater contentment of her people. The Acts of 1773 and 1784 were designed to establish a regular system of administration and justice under the Honourable East India Company. The Act of 1833 opened the door for Indians to public office and employment. The Act of 1858 transferred the administration from the Company to the Crown and laid the

foundations of public life which exist in India to-day. The Act of 1861 sowed the seed of representative institutions, and the seed was quickened into life by the Act of 1909. The Act which now has become law entrusts the elected representatives of the people with a definite share in the Government and points the way to full responsible Government hereafter. If, as I confidently hope, the policy which this Act inaugurates should achieve its purpose, the results will be momentous in the story of human progress; and it is timely and fitting that I should invite you to-day to consider the past and to join me in my hopes of the future.

2. Ever since the welfare of India was confided to us, it has been held as a sacred trust by Our Royal House and Line. In 1858 Queen Victoria of revered memory solemnly declared herself bound to her Indian subjects by the same obligations of duty as to all her other subjects; and she assured to them religious freedom and the equal and impartial protection of the law. In his message to the Indian people in 1903, my dear father, King Edward VII, announced his determination to maintain unimpaired the same principles of humane and equitable administration. Again in his Proclamation of 1908 he renewed the assurances which had been given five years before and surveyed the progress which they had inspired. On my accession to the throne in 1910 I sent a message to the Princes and peoples of India acknowledging their loyalty and homage and promising that the prosperity and happiness of India should always be to me of the highest interest and concern. In the following year I visited India with the Queen-Empress and testified my sympathy for her people and my desire for their well-being.

3. While these are the sentiments of affection and devotion by which I and my predecessors have been animated, the Parliament and the people of this Realm and my officers in India have been equally zealous for the moral and material advancement of India. We have endeavoured to give to her people the many blessings which Providence has bestowed upon ourselves. But there is one gift which yet remains, and without which the

progress of a country cannot be consummated—the right of her people to direct her affairs and safeguard her interests. The defence of India against foreign aggression is a duty of common Imperial interest and pride. The control of her domestic concerns is a burden which India may legitimately aspire to take upon her own shoulders. The burden is too heavy to be borne in full until time and experience have brought the necessary strength ; but opportunity will now be given for experience to grow and for responsibility to increase with the capacity for its fulfilment.

4. I have watched with understanding and sympathy the growing desire of my Indian people for representative institutions. Starting from small beginnings this ambition has steadily strengthened its hold upon the intelligence of the country. It has pursued its course along constitutional channels with sincerity and courage. It has survived the discredit which at times and in places lawless men sought to cast upon it by acts of violence committed under the guise of patriotism. It has been stirred to more vigorous life by the ideals for which the Btitish Commonwealth fought in the Great War, and it claims support in the part which India has taken in our common struggles, anxiety and victories. In truth the desire after political responsibility has its source at the roots of the British connection with India. It has sprung inevitably from the deeper and wider studies of human thought and history which that connection has opened to the Indian people. Without it the work of the British in India would have been incomplete. It was therefore with a wise judgment that the beginnings of representative institutions were laid many years ago. Their scope has been extended stage by stage until there now lies before us a definite step on the road to responsible government.

5. With the same sympathy and with redoubled interest I shall watch the progress along this road. The path will not be easy and in the march towards the goal there will be need of perseverance and of mutual forbearance between all sections and races of my people in India. I am confident that those high qualities will be forthcoming. I rely on the popular assemblies to interpret wisely the wishes of those whom they represent

and not to forget the interests of the masses who cannot yet be admitted to franchise. I rely on the leaders of people, the ministers of the future, to face responsibility and endure misrepresentation, to sacrifice much for the common interest of the states, remembering that true patriotism transcends party and communal boundaries and, while retaining the confidence of the legislatures, to co-operate with my officers for the common good in sinking unessential differences and in maintaining the essential standards of a just and generous government. Equally do I rely on my officers to respect their new colleagues and to work with them in harmony and kindlines ; to assist the people and their representatives in any orderly advance towards free institutions; and to find in these new tasks a fresh opportunity to fulfil, as in the past, their highest purpose of faithful service to my people.

6. It is my earnest desire at this time that so far as possible any trace of bitterness between my people and those who are responsible for my government should be obliterated. Let those who in their eagerness for political progress have broken the law in the past respect it in the future. Let it become possible for those who are charged with the maintenance of peaceful and orderly government to forget the extravagances which they have had to curb. A new era is opening. Let it begin with common determination among my people and my officers to work together for a common purpose. I therefore direct my Viceroy to exercise in my name and on my behalf my Royal clemency to political offenders in the fullest measure which in his judgment is compatible with the public safety. desire him to extend it on this condition to persons who for offerces against the State or under any special or emergency legislation are suffering imprisonment or restrictions upon their liberty. I trust that this leniency will be justified by the future conduct of those whom it benefits, and that all my subjects will so demean themselves as to render it unnecessary to enforce the laws for such offences hereafter.

7. Simultaneously with the new constitutions in British India, I have gladly assented to the establishment of a Chamber

of Princes. I trust that its counsel may be fruitful of lasting good to the Princes and the States themselves, may advance the interests which are common to their territories and to British India, and may be to the advantage of the Empire as a whole. I take the occasion again to assure the Princes of India of my determination ever to maintain unimpaired their priveleges, rights and dignities.

8. It is my intention to send my dear son, the Prince of Wales, to India next winter to inaugurate on my behalf the new Chamber of Princes and the new constitutions in British India. May he find mutual good-will and confidence prevailing among those on whom will rest the future service of the country, so that success may crown their labours, and progressive enligh-tenment attend their administration. And, with all my people, I pray to Almighty God that by His Wisdom and under His guidance India may be led to greater prosperity and content-ment, and may grow to the fullness of political freedom.

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